

Scott Gustin

From: Gary Keller <gary.a.keller@gmail.com>
Sent: Wednesday, August 05, 2020 9:19 AM
To: Scott Gustin
Subject: citizen comment re: Burton Conditional Use Application Aug. 5th, 2020
Attachments: letter re higher ground.docx

[WARNING] External Message

Design Review Board
Aug. 5th, 2020
Re: Burton Conditional Use Application

SGustin,

My name is Gary Keller. I live at 11 Lyons Ave in Queen City Park. I want to express specific concerns that I have regarding the considered Higher Ground Concert Venue, in this email and also as an attachment. I have been the chairman of the QCP Prudential Committee of Fire District #1 until I stepped down last month, though I am speaking today ONLY as a private citizen. Queen City Park has been a wonderful community to live in. I do appreciate the hopes and aspirations to develop a larger music venue to further improve our already wonderful music scene in Burlington.

However, since the proposed development is immediately next to quiet residential communities and already has very limited access including even the inherent delays from a one-way bridge, I think it is also very important and necessary that you take extraordinary steps to not provide harm to the neighborhoods too close to your project. I am very concerned about traffic before and after a concert causing significant delays a couple of days each week potentially causing significant inconvenience to nearby residents just trying to get to work or to get home. I also am very concerned about a larger music venue bringing larger numbers of people from even further distances leading to more people looking for a place to relax and imbibe whatever they prefer to before or after a concert or even needing to find a place to park overnight after a concert.

A significant team of people sternly directing traffic away from adjacent communities and only to the music venue is a minimum to preserve the environment in our neighborhoods. I respectfully request that the city of Burlington consider passing a rule that requires specific adequate measures be in place to control related traffic to not significantly inconvenience adjacent neighborhoods and that this rule be followed regularly and be subject to periodic review and a hearing for possible revoking of the license to continue. Thank you for considering, Gary Keller

RECEIVED

AUG 05 2020

BURLINGTON
PERMITTING & INSPECTIONS

Design Review Board
Aug. 5th, 2020
Re: Burton Conditional Use Application

SGustin,

My name is Gary Keller. I live at 11 Lyons Ave in Queen City Park. I want to express specific concerns that I have regarding the considered Higher Ground Concert Venue. I have been the chairman of our Prudential Committee of Fire District #1 until I stepped down last month, though I am speaking today ONLY as a private citizen. Queen City Park has been a wonderful community to live in. I do appreciate the hopes and aspirations to develop a larger music venue to further improve our already wonderful music scene in Burlington.

However, since the proposed development is immediately next to quiet residential communities and already has very limited access including even the inherent delays from a one-way bridge, I think it is also very important and necessary that you take extraordinary steps to not provide harm to the neighborhoods too close to your project. I am very concerned about traffic before and after a concert causing significant delays a couple of days each week potentially causing significant inconvenience to nearby residents just trying to get to work or to get home. I also am very concerned about a larger music venue bringing larger numbers of people from even further distances leading to more people looking for a place to relax and imbibe whatever they prefer to before or after a concert or even needing to find a place to park overnight after a concert.

A significant team of people sternly directing traffic away from adjacent communities and only to the music venue is a minimum to preserve the environment in our neighborhoods. I respectfully request that the city of Burlington consider passing a rule that requires specific adequate measures be in place to control related traffic to not significantly inconvenience adjacent neighborhoods and that this rule be followed regularly and be subject to periodic review and a hearing for possible revoking of the license to continue. Thank you for considering, Gary Keller

Scott Gustin

From: Candace Smith <candace@myfairpoint.net>
Sent: Wednesday, August 05, 2020 11:40 AM
To: Scott Gustin
Subject: CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
Burton/Higher Ground

WARNING: External Message

I am not in favor of Higher Ground coming so close to our neighborhoods. Problems with late night noise has already been mentioned. I live at Lake Forest and already some people speed through as a short cut to Flynn.

There would seem to be better options elsewhere.
candace smith

Scott Gustin

From: Lawrence Smith <wlbsmithvt@gmail.com>
Sent: Wednesday, August 05, 2020 4:33 PM
To: Scott Gustin
Subject: CRZ PResentation Submittals
Attachments: dg portion final.pdf; DRB Mtg 8-4-20 (J Ellis) Final.pdf; 2 Tocci # 1.pdf; Geddes Burton presentation ver 1_1.pdf; DRB Michael Human Powered Trips.pdf; Laura Traffic Study Assessment.pdf; Sharon DRB Statement.pdf; LS Intro and Conclusion 7-3-2020.pdf

[WARNING] External Message

Greetings Scott,

I am attaching all but one of the presentation files from the CRZ presentation last night. I will be receiving the last file this evening and will forward it to you tomorrow.

Please forward this to AJ and the other members of the board, and apologize to AJ for me for my tardiness. I said I would have these to you this morning but it has taken more time than I expected to get them collected.

Thank you, and please be in touch if you or any of the board members have any questions.

Laurie Smith
802-363-8070

RECEIVED

AUG 05 2020

BURLINGTON
PERMITTING & INSPECTIONS

My name is Doug Goodman, I am a South Burlington resident and member of the CRZ. I live on Central Avenue. I also own 364 Queen City Park Road, my property there is a direct abutter, my tenants are very concerned that the quiet neighborhood they love is about to become something more like Church Street.

The first issue that we would like to address is related to public safety and covered by Review Standard #1.

The Public Safety and Policing Burdens created by this venue are well stated in Burlington Police Chief Morrison's letter of April 17, 2020. The Chief specifically states that "the challenge will be that some of the larger events have the potential to divert BPD resources during times when those resources are normally focused on downtown Burlington". The chief went on to write "large gatherings in the parking lots, before and after large events and/or performances by specific artists whose followings include disproportionate numbers of disruptive elements; and, for the South Burlington Police Department (SBPD), after hours activity potentially leaking into Red Rocks Park and down Central Ave." ending with the statement "Accordingly, BPD approval of the application is contingent upon assurances by Burton and Higher Ground that" and followed by a list of assurances.

The April 30, 2020 follow-up letter from BPD Deputy Chief John Murad signed off on the "assurances" based on the Operational Management Plan submitted by the applicants. However, neither the City nor the Residents have any realistic remedy if that Plan falls short, or if the operator does not adhere to it in full. We request that any approval of this permit be conditioned on the creation of a binding agreement that remedies this potential issue.

In the email dated June 19, 2019 from South Burlington Police Chief Shawn Burke to South Burlington City Manager Kevin Dorn, it states that at venues of this kind, the evidence is that even good faith efforts by the operator will not suffice without police intervention: "There are some acts that draw more alcohol, drugs, and disruptive crowds which need the help of city services to keep patrons safe, it is what it is."

Based on the historical evidence, and given the large increase in capacity compared to the South Burlington venue, the best case scenario is that BPD (and SBPD) can expect to make several hundred service visits per year, largely concentrated between 10 PM and midnight but also extending into the small hours of the morning. If past is prologue, these visits will involve, among other things, motor vehicle complaints, incidents of intoxication, generalized "disturbance," accidents, drugs, sex offenses, and assaults, as per the SBPD/SBFD Response log.

Finally it is important to note that the BPD initial and follow up reviews of this Burton proposal occurred prior to the outbreak of the Covid Pandemic, social justice outcries, and the recent City Council decision to reduce the BPD by 30%. This change from 105 to 72 police officers for the city will have a significant, and potentially critical impact on the already limited response capabilities of the BPD.

In light of this significant action by the City Council, we request that the DRB ask the BPD to reassess their Project Review and continue this hearing until this reassessment is completed. We further request that the DRB invite BPD, SBPD, and other municipal safety organizations to a DRB meeting to address the issue of safety comprehensively, and also provide an opportunity for surrounding residents to have their safety concerns addressed.

Thank you for your time.

RECEIVED

AUG 05 2020

BURLINGTON
PERMITTING & INSPECTIONS

August 4, 2020

Mr. Lawrence Smith
50 Central Ave,
South Burlington, VT 05403

Cell: 802-363-8070
e-Mail: wlbsmithvt@gmail.com

Subject: Peer Review of
Hub Project Noise Assessment

Dear Mr. Smith,

As requested, I have reviewed Burton Snowboards & Higher Ground Hub Project Noise Assessment dated April 20, 2020 prepared by RSG, White River Junction, Vermont. The Hub Project is to renovate the Burton Snowboard facility at 266 Queen City Park Road into an indoor entertainment venue with restaurants, retail space, and an indoor recreation area, as well including Burton offices, prototyping workshop, and manufacturing facility. The RSG report notes that the project will:

- Comply with Sec. 21-13(b)(1) of the Burlington Noise Control Ordinance.
- Not cause an "undue adverse impact on aesthetics" prohibited by the Vermont Act 250 process.
- Comply with WHO Community Noise Guidelines.

The RSG report only addresses the (b)(1) *General prohibition* of the Burlington Noise Ordinance. However, it is my understanding that the Hub Project must also comply with Sec. 21-13 (b)(2)(a) *Radios, television sets, musical instruments, phonographs and similar devices*; and Sec. 21-13 (b)(2)(c) *Parties and other social events*. These subsections are here quoted in full:

Sec. 21-13 (b)(2)(a) *Radios, television sets, musical instruments, phonographs and similar devices*. The operation or permitting the use or operation of any musical instrument, radio, television, phonograph, or other device for the production or reproduction of sound in such a manner as to be plainly audible through walls between units within the same building, from another property or from the street between the hours of 10:00 p.m. and 7:00 a.m. or in such a manner as to unreasonably disturb the peace, quiet or comfort of the public.

Sec. 21-13 (b)(2)(c) *Parties and other social events*. Notwithstanding section (b)(1), it shall be unlawful for any person who is participating in a party or other social event to actively make unreasonably loud noise. A party or other social event is defined as a gathering upon the premises of one or more persons not residing at the premises. Unreasonably loud noise is noise that unreasonably interferes with the peace or health of members of the public or is plainly audible between the hours of 10:00 p.m. and 7:00 a.m. through the walls between units within the same building, from another property or from the street. It shall also be unlawful for any resident of a premises to allow a party or other social event occurring in or about the premises to produce unreasonably loud noise. There is a rebuttable presumption that all residents of the premises have allowed such party or other social event to occur in or about the premises. All

residents of the premises are responsible for such unreasonable noise made, each having joint and several liability.

This letter presents our conclusions regarding the analysis methods employed by RSG and makes recommendations on how the analysis should be revised to better protect the surrounding residential community.

Noise Standards

The Burlington Noise Control Ordinance is a nuisance type prohibiting “...any person to make or cause to be made any loud or unreasonable noise.” As the Act 250 process requires consideration of impacts in areas outside the primary jurisdiction, the Hub Project is also subject to the City of South Burlington Section A.3(b)(ii) noise ordinance limiting Hub Project sound to 45 dBA at night (12:00 AM and 8:00 AM). The ordinance notes this to be a “one-hour average”, presumably the A-weight one-hour equivalent sound level ($LA_{eq,1-hr}$). Music played at this level in neighborhoods, though compliant, may be clearly identifiable and “...out of character with the area...” as prohibited by Act 250.

It is my opinion that use of the equivalent sound level is most appropriate for broadband, indistinct sound such as that produced by ventilation equipment, for example, which contains no information. Music and speech are distinct, easily identifiable sounds that contain distracting information. We recommend that, in addition to adhering to applicable limits, a design goal for music transient sound be developed to minimize impact. Based on prior work of this firm¹, the community should be sufficiently protected if the 1st percentile A-weighted music and voice sound level ($LAF_{01,1-hr}$) does not exceed the existing residual sound level, expressed as the 90th percentile A-weighted sound level ($LAF_{90,1-hr}$), by more than 5 dBA. This correctly recognizes that the audibility of music in the environment is perceptible depending on the amount by which it exceeds the otherwise existing ambient sound level.

Music Sound Level

The RSG report assumes music sound will have an average ($LA_{eq,1-hr}$) sound level of 99 dBA. In the above footnoted paper, the A-weighted equivalent sound level for music of all genre ranged from 71 dBA (jazz and classical at the lowest levels) to 104 dBA (rock). The corresponding 1st percentile A-weighted sound level ranged between 79 and 107 dBA as measured mid-audience under the pavilion at Great Woods in Mansfield, MA. I would recommend that that performing acts be required to limit sound to an $LA_{eq,10 min}$ of 105 dBA and that this be used by RSG in its analysis. The high level I have suggested, as a practical matter, is important to many rock acts wishing to maintain their entertainment value.

Building Sound Isolation

Wall and roof section sketches, and a description of how their sound isolation performance has been determined, should be provided. Of most importance is the ability of the building to limit the transmission of low frequency sound to the community. This aspect of building design is important as

¹ Cavanaugh, W.J.; Tocci, G.C.; “Criteria for community acceptance of outdoor concert sound...a progress report on continuing research”, The 2002 International Congress and Exposition on Noise Control Engineering, Dearborn, MI, USA, August 19-21, 2002.

low frequency rhythm sound (bass beat) is generally the dominant source of complaints by residents living near entertainment venues.

Building Mechanical Systems

The report indicates that the building will be served by three existing Carrier rooftop air handling units producing sound power levels of 78-87 dBA (assumed to be based on field measurements) and two new units producing sound power levels of 86 and 87 dBA. I would recommend that manufacturer technical information for the new units be submitted when available.

Lounge Crowd Sound

Sound produced by patrons in the outdoor lounge with space for 150 to 300 patrons was modeled as 15 "loud" male voices. ANSI S3.5 Methods for Calculation of the Speech Intelligibility Index provides one-third octave band power spectral densities for normal, raised, loud, and shouting vocal effort. From this information, the sound power level of 1 loud male vocal effort is 85 dBA. For 15 voices, the total A-weighted sound power emitted, instead of 88 dBA, would be 97 dBA.

In a similar outdoor rooftop patio of a private downtown club, the average sound level measured in the seating area of a typical outdoor restaurant was 75 dBA. This level was applied to the design of an outdoor rooftop patio of a proposed private club. The corresponding sound power level for the maximum occupancy of 65 patrons was 98 dBA. Increasing the patron count from 65 to 300 would increase the emitted sound power level emitted from 98 dBA to 105 dBA.

For an outdoor hotel roof deck with 18 of 50 patrons speaking with normal vocal effort (instead of loud vocal effort), the total power emitted was 88 dBA. Scaling this up to 300 patrons would increase the sound power level to 92 dBA.

The RSG corrected assumption of an emitted sound power level of 97 dBA is probably on the low side compared with the scaled-up club roof deck emission of 105 dBA and the scaled-up hotel outdoor roof patio emission of 92 dBA. An assumed sound power emission of 100 dBA may be more appropriate.

The report does not provide details on shielding by buildings, the lounge elevation, nor possible screening by barriers to reduce crowd sound transmitted to the community. The analysis of the lounge would benefit from consideration of these and other details. In addition, some consideration should be given to sound transmission through double doors accessing the event space during concerts.

Parking Lot Sound

Without the Cadna model input file, it is not possible to evaluate parking lot sound power levels used in modeling. The Cadna parking lot computational standards do not include sound associated with crowds arriving at or departing from music events. This would require sound measurements near a similar event parking area during patron arrival and departure, at least to confirm the appropriateness of the Cadna standard algorithms for parking lot sound. We also wish to emphasize the Hub Project management decision to prohibit tailgating in facility parking areas. Barriers screening parking lot sound levels may provide some benefit as well.

Computer Modeling

I am familiar with Cadna and its methods for evaluating sound. It is among the correct tools to use for evaluating Hub Project sound. However, its inputs should be modified to reflect the above-mentioned descriptors, and to evaluate the potential for low frequency rhythm sound (bass sound) most often the source of community complaints in connection with entertainment facilities. Cadna can be used to evaluate other controls, among them sound barriers to screen sound from sensitive areas.

Conclusions

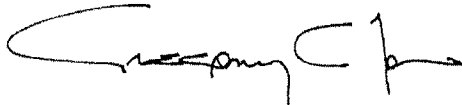
The organization of the technical study of potential impact of the proposed Hub Project is generally correct. However, though the regulations cited are important, they do not adequately protect the residential community from exposure to unwanted entertainment sound. Protecting residential areas requires developing design goals that incorporate existing background sound levels obtained through actual sound monitoring of existing conditions. Revising the study to develop design goals for sound as we have suggested, providing more detail on building envelope and outdoor lounge design, and investigating possible use of barriers to screen sound would provide better certainty that impacts have been minimized through project design.

* * *

If I can provide further detail, please do not hesitate to contact me. Thank you.

Sincerely,

CAVANAUGH TOCCI

A handwritten signature in black ink, appearing to read 'Gregory C. Tocci', with a stylized flourish at the end.

Gregory C. Tocci, *Sr. Principal Consultant*

S:\Leads And Proposals\2020\Higher Ground\Higher Ground 1b.Docx

RECEIVED

AUG 05 2020

MIKE START

BURLINGTON
PERMITTING & INSPECTIONS

Good evening, my name is Michael Turner, I live at 110 Central Ave in Queen City Park, South Burlington. I am a member of the CRZ and an interested party of these proceedings. My focus this evening is going to be a visual presentation of pedestrian and bicycle movement in the vicinity of the event venue.

First, though, I'd like to briefly introduce you to our neighborhood. Queen City Park consists of about 85 homes with the average age of the home owner in their mid-60s. We also have families with children ranging from infants to teenagers. The only way into our neighborhood is by driving south on Central Ave from its T intersection at QCP Rd, passing by the Red Rocks Park parking area. The only exit from Queen City Park is the reverse of this. There are no sidewalks on Central Ave or anywhere in Queen City Park.

Our neighborhood generates significant daily vehicular traffic, including drivers coming & going to work & local destinations, waste removal trucks, heating oil & propane trucks, and contractors.

Those of us who live here are very active & tend to walk & bike to area destinations such as City Market, Hannaford, or downtown Burlington. Due to the broad lack of pedestrian and cyclist infrastructure, it can be quite harrowing to bike or walk to a sidewalk or bike lane on Home Ave or Austin Drive or along QCP Road past Arthur Court. There are no sidewalks between Central Ave & Home Ave, and a dirt path leading to & beyond the catwalk on the one lane RR bridge where the road is very narrow and in generally poor condition. Since QCP Road is the designated road used by all GMT busses and Barrett trucks it can be extremely dangerous.

I now want to provide you with a visual of what Burton has proposed in their Additional Information for South Burlington TIS memo. This is what they consider adequate for what they call "human powered trips". This is what our neighbors deal with on a daily basis – Burton is suggesting that walkers and bikers will safely navigate in the dark and in a possibly inebriated state, QCP Road until they can eventually get to a sidewalk on Home Ave or in South Burlington.

Human Powered Trips

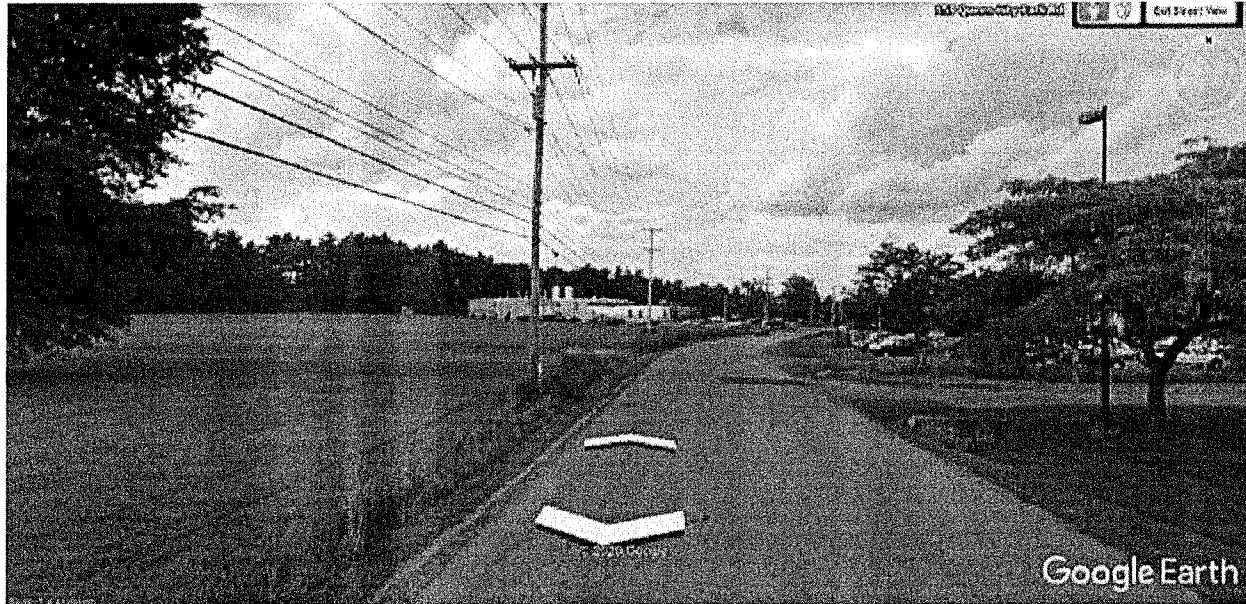
I'd like to **quote** from Burtons Additional Information for South Burlington document, "South Burlington raised a concern regarding trips made by human powered modes such as bicycling and walking. Although based on the time frame of the typical show, walking and cycling trips will be low, some local residents may choose these modes. For trips made by bicycle, Higher Ground will encourage patrons to exit the site and proceed north on Queen City Park Road, turn right onto Home Avenue and travel to local destinations rather than leaving the site to the south where a cyclist would have to cross the single lane bridge. Without proper lighting on the bicycle, travel to the south may cause a safety concern where a driver in the opposing direction did not see the cyclist on the bridge before proceeding. The Higher Ground operational plan will include informing Higher Ground staff to direct all cyclists to the safer route.

Pedestrians will be able to proceed in either direction. To the north pedestrians will travel on sidewalks within the Burton site and then either along the eastern roadway edge or cross to the sidewalk on the western side of Queen City Park Road to connect to the sidewalk network on Home Avenue".

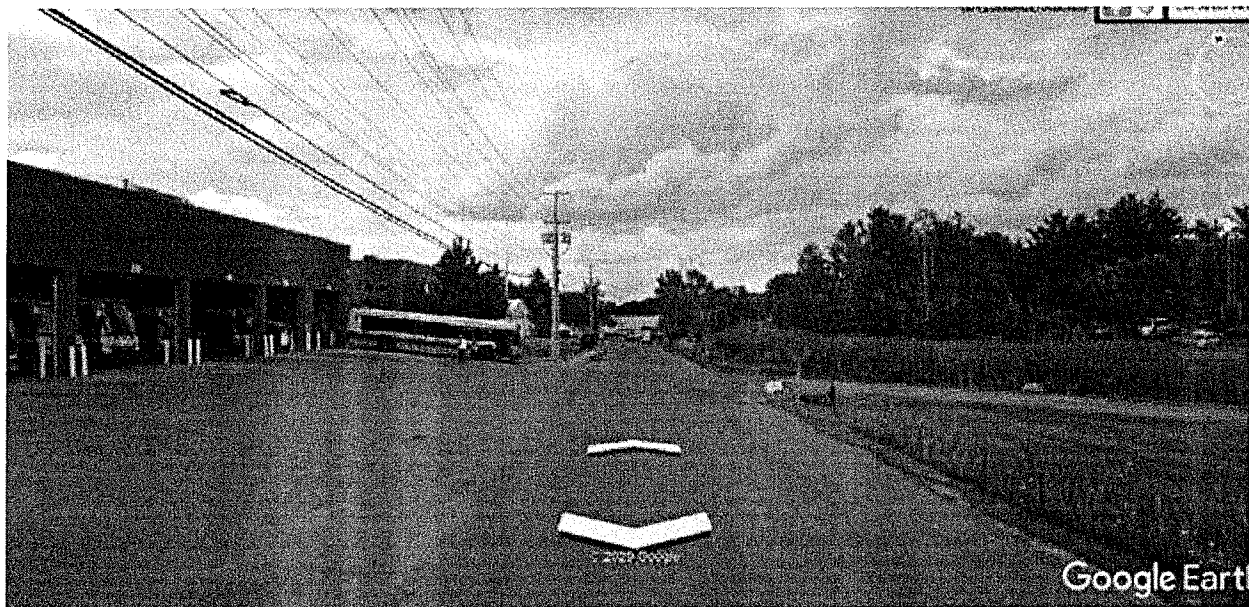
It should be noted that Barrett trucks and Public Buses travel exclusively to the south and over the Queen City Park Rd one lane bridge.

I now have a few slides of the area from Google maps

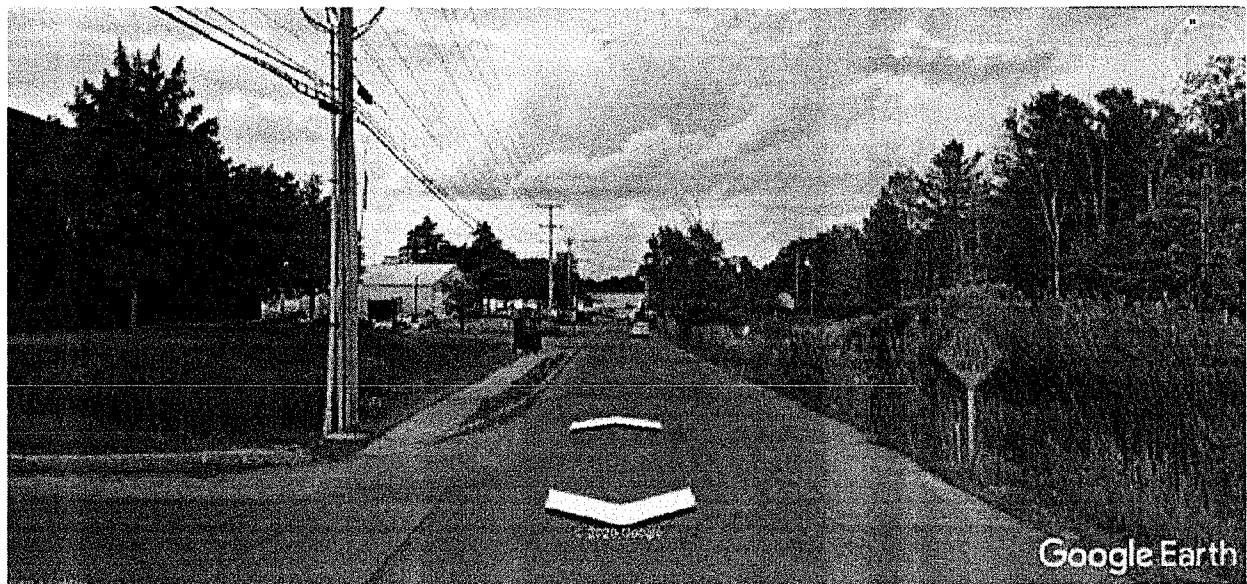
EXITING VENUE TO THE NORTH TOWARD HOME AVE



Proceeding north toward Home Ave. Burton north entrance on right.



Proceeding north past Burton HQ marsh

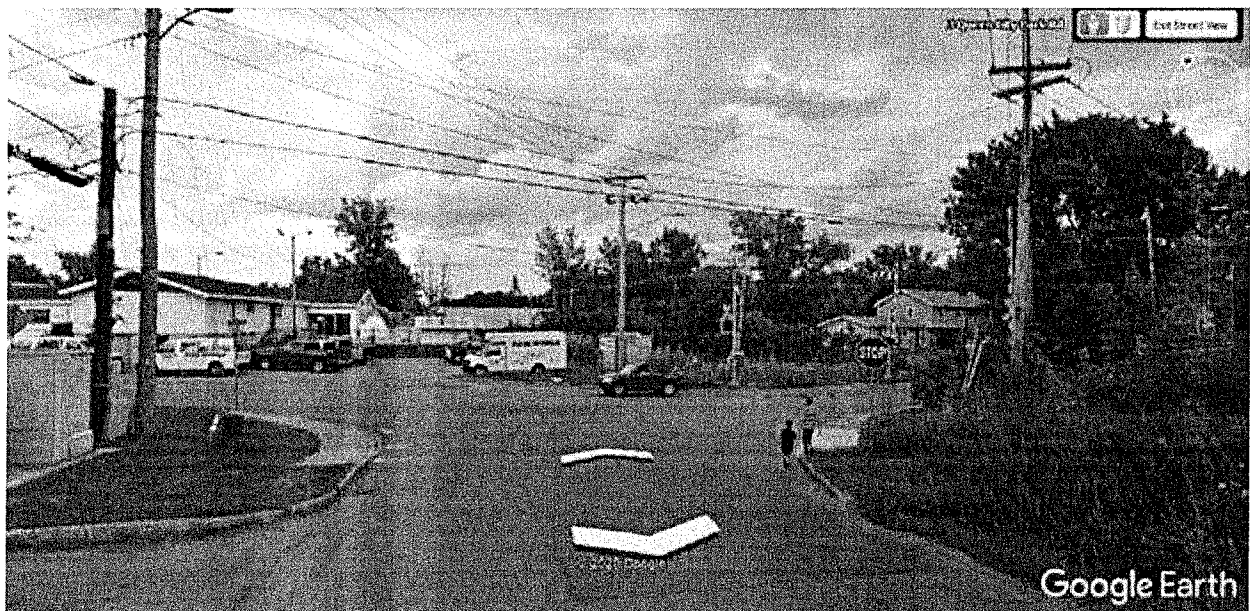


Proceeding north past GMT office parking access on left



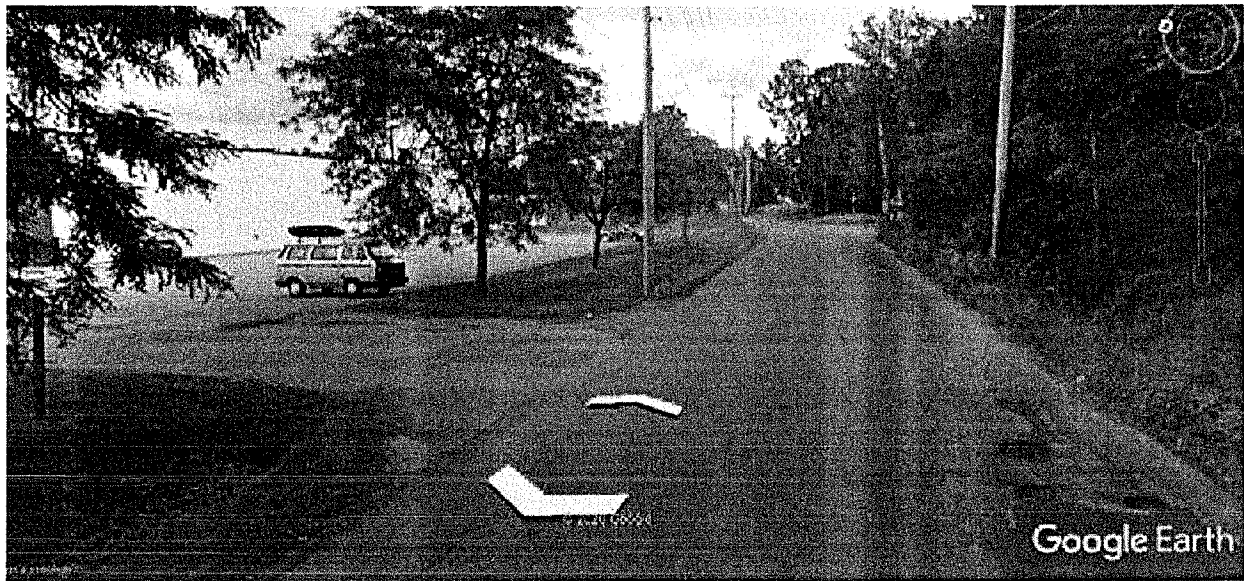
INTERSECTION OF QUEEN CITY PARK ROAD AND HOME AVE.

Event attendees will TURN RIGHT into Home Ave TO LEAVE the AREA. TURNING LEFT ACCESSES RED ROCKS Condos AND the SOUTH COVE NEIGHBORHOOD WITH NO OUTLET ROAD. A LEFT TURN ALSO provides access to OAK LEDGE TOWNHOUSE AND CONDO NEIGHBORHOOD WITH ACCESS TO FLYNN AVE.

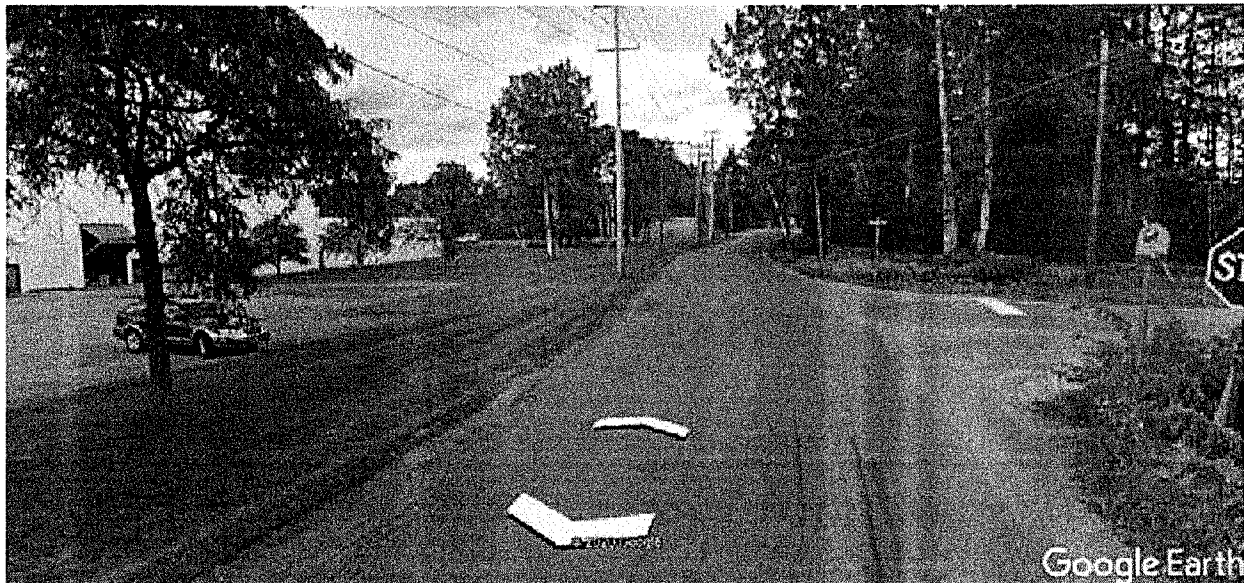


Continued quote from Burton Memo to SB., "Pedestrian trips to the south will require the crossing of Queen City Park Road to access the side path to the south of the roadway and safely cross the single lane bridge. As outlined above, these pedestrians will proceed along the roadway edge until reaching the sidewalk on the south side of Queen City Park Road just east of Arthur Court.

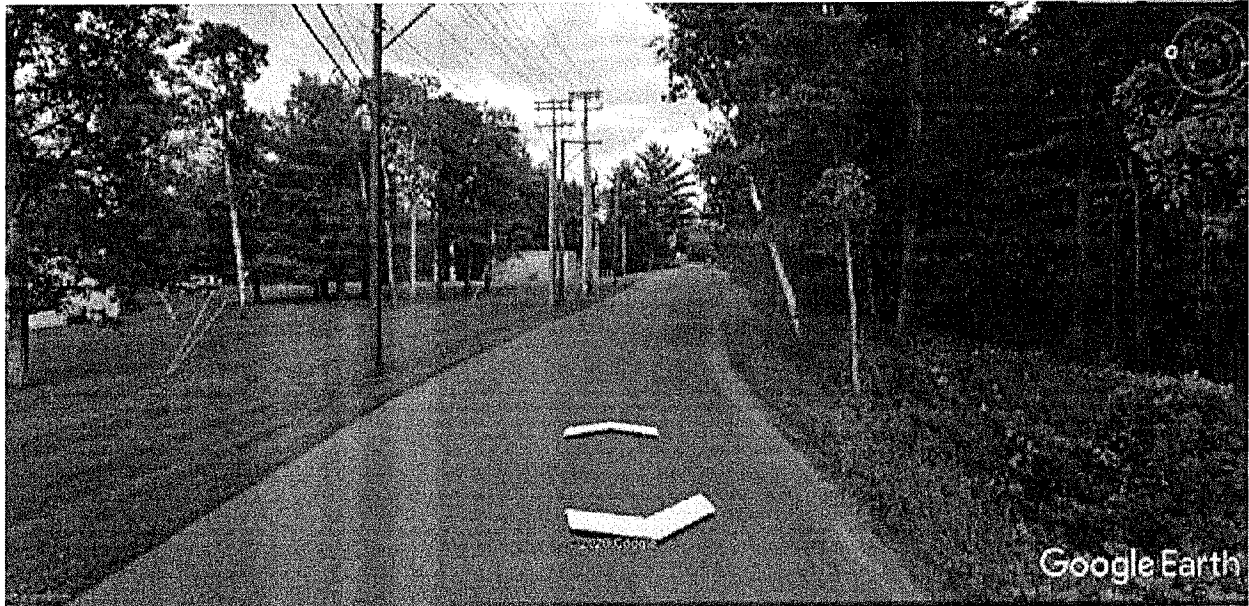
EXITING VENUE TO THE EAST ALONG QUEEN CITY PARK ROAD TOWARD SHELBURNE RD



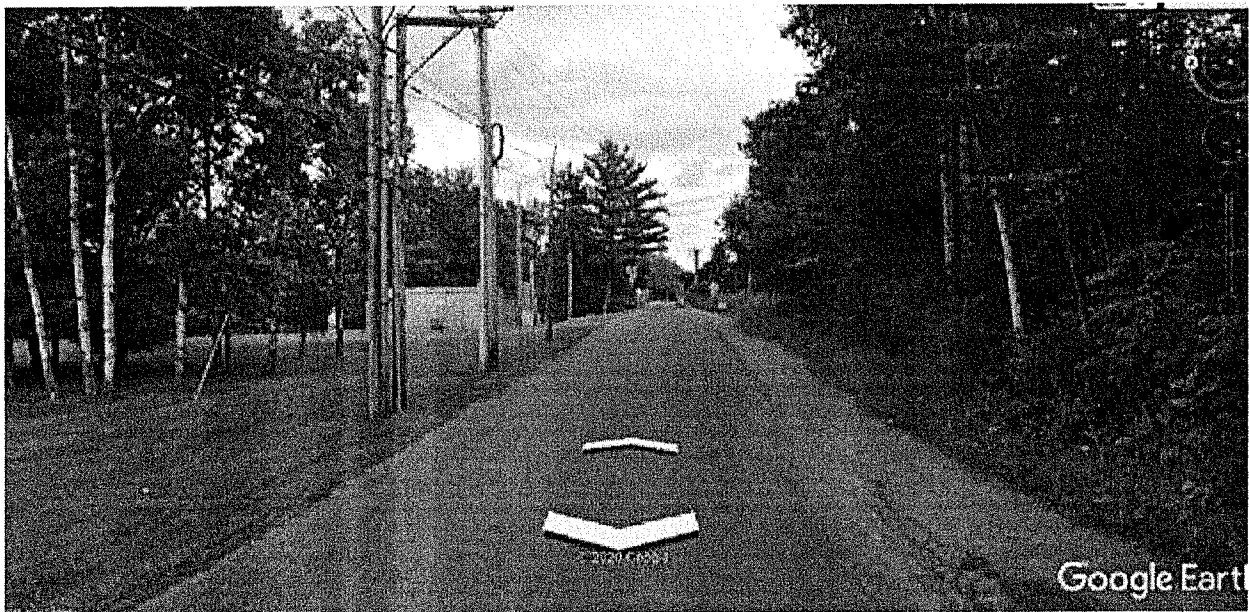
APPROACHING CENTRAL AVE 3 WAY (WITH TWO STOP SIGNS) INTERSECTION



HEADING EAST ON QCP RD TOWARD ONE LANE BRIDGE (NO SIDEWALKS)

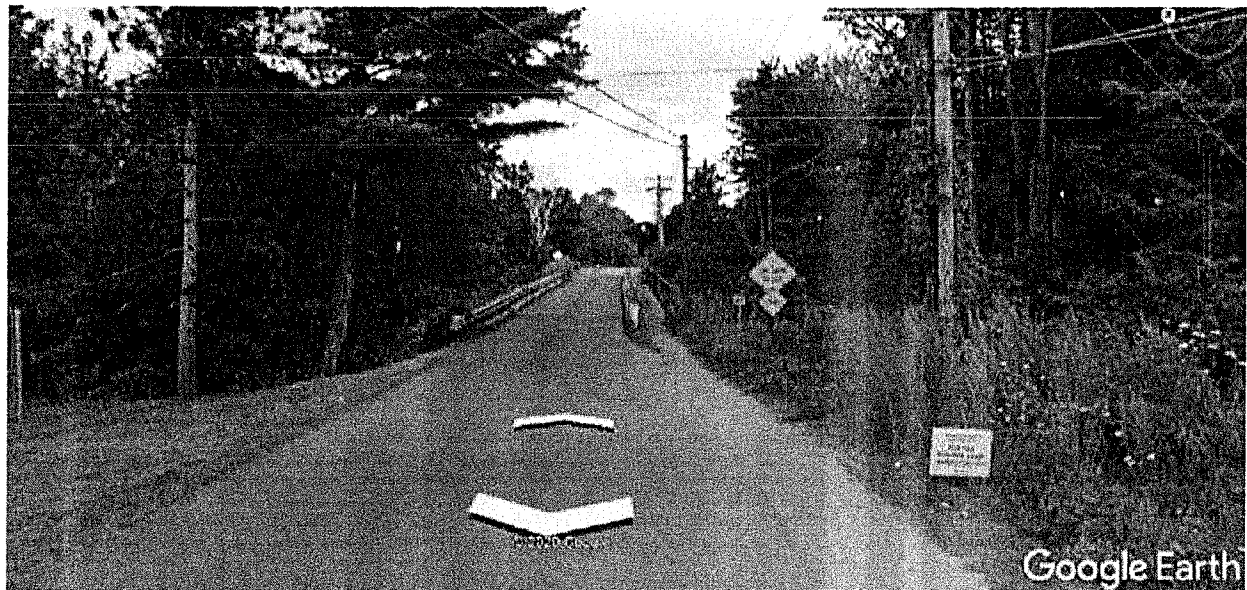


HEADING EAST ON QCP RD TOWARD BRIDGE ON GRAVEL WALKWAY





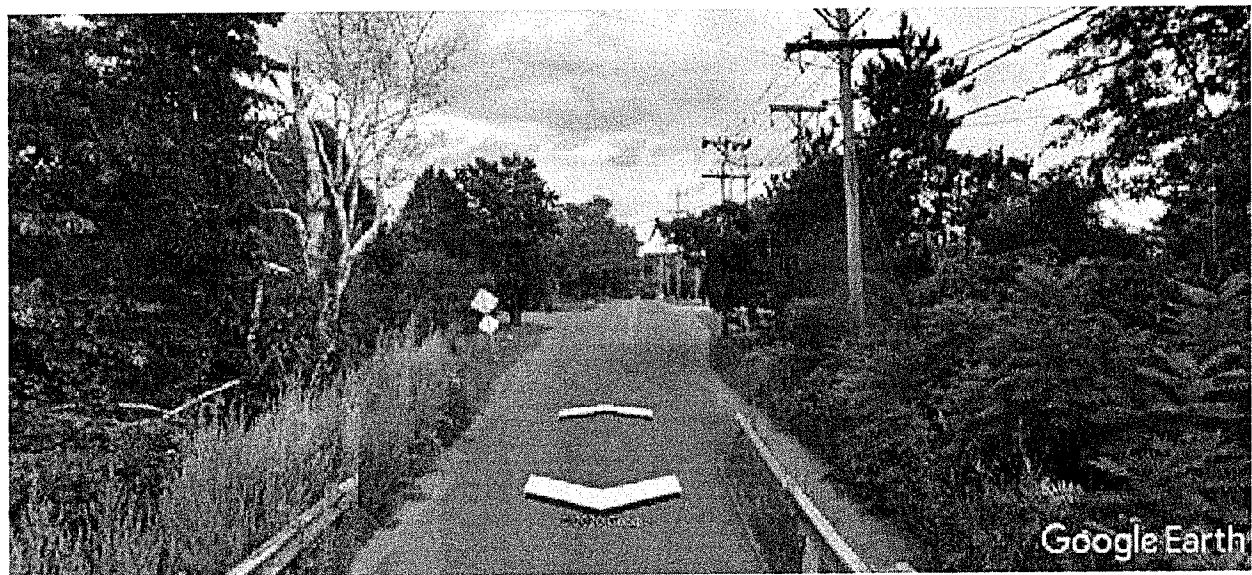
APPROACH TO ONE LANE BRIDGE WITH STEEL GRATE WALKWAY ON SOUTH SIDE. PET OWNERS WALK PETS ACROSS BRIDGE IN ROADWAY AS GRATES ARE NOT PET PAW FRIENDLY. BICYCLES DO NOT USE GRATES EITHER.



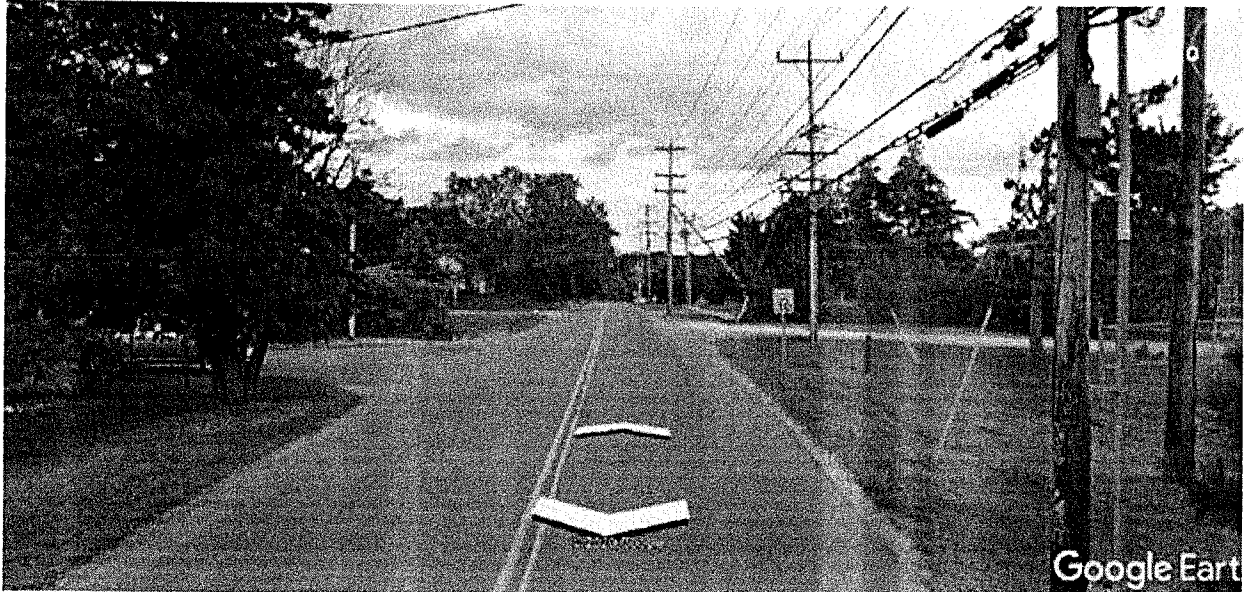
ONE LANE BRIDGE WITH STEEL GRATE WALKWAY ON SOUTH SIDE



EXITING BRIDGE ONTO SHOULDER OF QCP RD



EXITING BRIDGE ONTO QCP SHOULDER AT CHAMPLAIN WATER DISTRICT FACILITY. Arthur Court on left.



Accidents at the one lane bridge happen when vehicles misjudge the entrance width and drive into the end of the guardrails. I have witnessed 3 such impalement accidents while living here. Alcohol consumption at Burton Hub events may exacerbate this problem.

Beyond the grated walkway on the bridge there is a 150' dirt shoulder before accessing a sidewalk at the Champlain Water District facility. Safety infrastructure is almost entirely lacking as evidenced by these photos.

Thank you, I hope this presentation gives you an on the ground look at the reality of pedestrian and bicycle travel within the immediate area of the proposed event facility.

I now turn this back over to Laura Waters

RECEIVED

AUG 05 2020

I am Sharon O'Neill, a member of Citizens for Responsible Zoning (CRZ) Steering Committee and live in the Arthur Court neighborhood in Burlington, which is a direct abutter to the proposed Burton/Higher Ground Hub.

I moved to Arthur Court 5 years ago, and have been active in my community since becoming a Burlington resident. I definitely am not in any way anti- Burton or Higher Ground. In fact, both my sons grew up boarding at Smuggler's Notch, through Burton sponsored programs and decked out in Burton gear. My family has always been proud that Burton is a Vermont company that believes in and supports Vermont youth and communities; our cat is even named Burton!

When looking for a place to live, I was hoping to find a place that offered me some of what I loved about living in Fairfax, while also offering me close proximity to the University where I work and downtown Burlington. Arthur Court has been a perfect fit! We have green space, are close to the bike path, our 6 units in a cul-de-sac means no through traffic and minimal noise. We have a tight neighborhood of people who all look out for one another.

Residents of Arthur Court gathered on Sunday, July 5th. The concerns I will outline are current and representative of our neighborhood.

- 1) Not only is the scale of this proposed project not in line with the size and scope of the businesses and neighborhoods that surround the site, the area lacks the infrastructure to support the impact the hub will have on the area.
- 2) Burton predicts that up to 600 cars and trucks will be exiting the venue multiple nights per week, between 11 pm - 2 am, over compromised residential streets that lack safe sidewalks, flashing crosswalks and appropriate lighting. Most of us in Arthur Court work, and this influx of noise during the weekends, defined as starting on Thursday, will certainly impact our ability to sleep.
- 3) Also, of concern is whether there are enough on-site parking spots to support 200-600 cars for the shows, plus the staff for the venue and food court. Determination should not be made by assuming that people will carpool. My neighbors are concerned that our road could potentially become an alternative parking lot which brings additional noise and safety concerns. There are times when this has happened in the past and cars parking on both sides of

our narrow road could make it impossible for emergency vehicles to reach residents in a timely manner.

4) Initially, we were not as concerned about music/crowd noise coming from inside the venue because we believed/were led to believe that there would be “state of the art” sound proofing as is required for musical integrity inside the venue. However, the submitted permit notes insulation and sheetrock for the plan. My neighborhood requests that there be a more complete sound proofing plan in place before considering approving this permit. Additionally, the site sits in a natural amphitheater that is lower than the surrounding neighborhoods, making sound reduction especially challenging.

5) We question the impact of a 2300 sq. ft outdoor smoking lounge so close to our neighborhood. Smoke and voices will definitely carry. My neighborhood asks that the DRB put guidelines in place to help mitigate the impacts this will have.

Last, for the reasons I’ve outlined we don’t believe that recent public messages from Burton and Higher Ground indicating that the project will have little or no impact are informed by our reality as neighbors. Additionally, referring to our group as “Nimbies” and a “small and noisy group” does not show respect that our concerns are important to Burton and Higher Ground and certainly does not show that they are trying to work on establishing a working trust with us as neighbors.

Both Burton and Higher Ground have a long history of positive community involvement. My neighborhood requests that the DRB require Burton/Higher Ground to more carefully consider these issues, and to keep in mind the well-being and voice of the community neighbors that will be directly, and perhaps negatively, impacted by this large project.

Hello. My name is Janice Ellis. I own and live at the property known as Redrock condominiums at 161 Austin Drive, which is in the immediate neighborhood of the Burton campus. I am a member of the CRZ. I am here to speak on behalf of CRZ and also as an interested person in my own right.

I purchased my condo because of the location - close to the parks and the quiet, residential neighborhoods surrounding it.

However, despite this relative peace, the area is not without its noise challenges. Given my neighborhood's close proximity to the businesses on QCP Road, we are already impacted by such things as occasional music, loud speaker announcements, cars and crowds which accompany Burton's weekend sales, group celebrations at the outdoor skate park and other events. All of these occasional events, though inescapable, tend to be tolerable because they are the exception, not the norm.

Enforcement is also a recurring issue. My neighborhood has struggled with fairly frequent noise ordinance violations by a business on QCP Road, and the city administration has chosen not to enforce the ordinance. I am very concerned that a similar situation will arise if a large music venue, with a 2,300 sq ft outdoor patio and outdoor seating for food vendors, is allowed to open on QCP Road. Even proactive management of the attendees in cars/Ubbers/buses & bikers coming to and from the proposed venue will not mitigate the noise pollution it will create.

Your decision regarding this permit will significantly impact the quality of life in the neighborhoods surrounding the proposed Burton & HG project. When making your decision, please consider what you are asking the area residents to live with if you approve the project as it is currently proposed.

PRESENTERS:

Lori Hayes: CRZ Project Overview

Laurie Smith: Presentation Overview

Doug Goodman: CRZ Safety Services concerns

Les Blomberg: Noise Pollution Clearinghouse & Greg Tocci: Cavanaugh Tocci: Noise Study concerns

Janice Ellis: Personal Testimony

Sharon O'Neil: Personal Testimony

Laura Waters: Transportation and related infrastructure concerns

David Geddes: TIS Review and concerns

Mike Turner: Infrastructure walkthrough

Laurie Smith: Conclusion



RECEIVED

AUG 05 2020

BURLINGTON
PERMITTING & INSPECTIONS

Burton HUB Traffic Impact Study: A Critical Review

David Geddes, Ph.D.
Geddes Analytics LLC



Objectives

1. What questions are asked?
2. What questions have not been asked?
3. What are critical assumptions?
4. Are all data fully assessed and presented?
5. What are the red flags (critical limiting factors)?

What questions are asked? What questions are **not** asked?

- Focus on traffic throughput
- Wave of data ... incomplete analysis
 - TIS devotes almost all data, analysis, and reporting to daytime traffic
 - Glosses over or obfuscates inconvenient data
 - Fails to address red flags, choke points, and critical limiting factors
- Avoids the elephant in the room
 - 222 incremental daytime trips vs. 1,000 incremental evening and night trips
- What is the impact on residential quality of life?
 - Driveway access on crowded streets
 - Public safety for pedestrians, bicyclists, children. Etc.
 - Pollution (exhaust, noise, light)



What are critical assumptions?

Champlain Parkway

- The TIS builds its case on the assumption that Champlain Parkway will be built.
 - “The future conditions for the project sit and study area focused on the anticipated Champlain Parkway traffic patterns...” (VRB memorandum, October 2, 2019, page 5).
- Vermont case law applicable to the situation.
 - Aspirational or speculative components of municipal plans do not count in the evaluation process.
- Completion 5+ years out ... if ever (See Cindy Hill letter attached to Frank Kochman submission)

Events per year

- Burton claims 100 to 120 shows per year, i.e., 1.9 to 2.3 per week (See Burton “update” of June 2020).



A key viewpoint

” ... music, food and skateboard fans would have to thread their way through a residential neighborhood – or across a single-lane railroad bridge – to reach this corner of Burlington. The status quo, in other words, is a deal-killer.”

- Justin Worthley quoted in a *Burlington Free Press* article (January 16, 2019) about a Planning Commission meeting



Red flag #1: QCP Road One Lane Bridge

Critical choke point at QCP Road one-lane bridge

- The VHB traffic analysis fails to assess properly the choke point at the QCP Road one-lane bridge.
- The VHB engineers conducted an informal **daytime** drive-by assessment of bridge traffic and operation.
- This assessment provides no realistic information concerning the impact of a continuous stream of cars attempting to pass over the bridge during the period immediately before and after a concert, effectively blocking passage to anyone heading the other direction.
- Even if we are looking at only “peak-hour” effects to which the TIS devotes almost all its reporting and conclusions, the congestion that will be created on some of the local intersections is unacceptable.

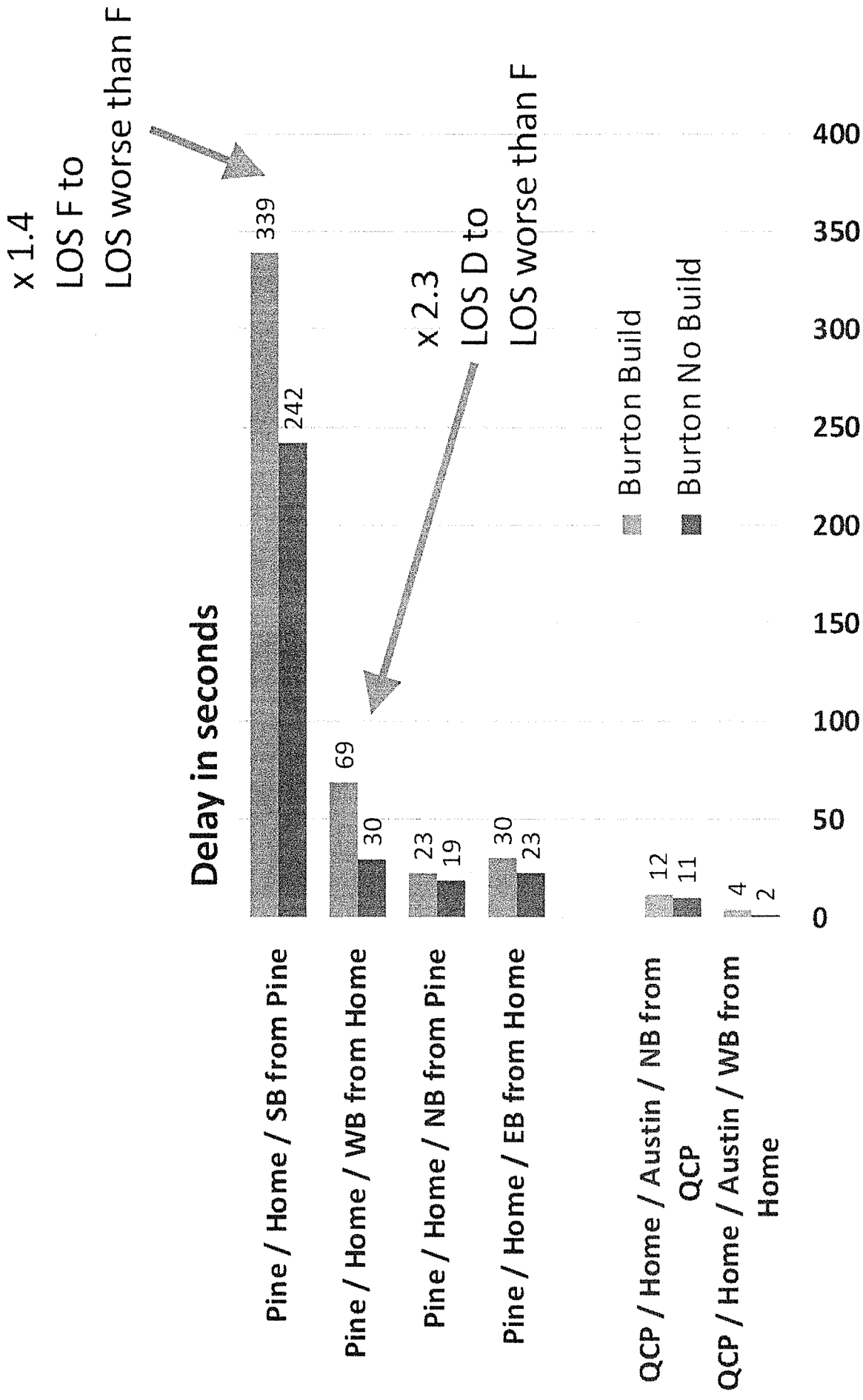


Table 4: Unsignalized Intersection Capacity Summary

Intersection Movement	Champlain Parkway No Build						Champlain Parkway Build							
	Burton No Build			Burton Build			Burton No Build			Burton Build				
	v/c ⁺	Delay*	LOS **	v/c ⁺	Delay*	LOS **	v/c ⁺	Delay*	LOS **	v/c ⁺	Delay*	LOS **		
2008														
AM	Queen City Park / Home Ave / Austin Dr													
	WB from Home Ave		0.09	5.2	A	0.09	5.2	A	0.09	5.2	A	0.09	5.2	A
	NB from Queen City Park Rd		0.08	10.6	B	0.08	10.6	B	0.08	10.6	B	0.08	10.6	B
	Pine St / Home Ave													
	EB from Home Ave		0.59	22.5	C	0.59	22.5	C	0.18	8.7	A	0.18	8.7	A
	WB from Home Ave		0.93	52.7	F	0.93	52.7	F	0.15	7.9	A	0.15	7.9	A
	NB from Pine St		0.49	19.3	C	0.49	19.3	C	0.10	8.2	A	0.10	8.2	A
	SB from Pine St		1.01	70.3	F	1.01	70.3	F	0.20	8.9	A	0.20	8.9	A
	US 7 / Queen City Park (north)													
	NB left onto Queen City Park Rd		0.07	15.8	C	0.08	15.9	C	0.07	15.8	C	0.08	15.9	C
PM	Queen City Park / Home Ave / Austin Dr													
	WB from Home Ave		0.03	1.7	A	0.11	4.4	A	0.03	1.7	A	0.11	4.4	A
	NB from Queen City Park Rd		0.14	10.5	B	0.21	12.2	B	0.14	10.5	B	0.21	12.2	B
	Pine St / Home Ave													
	EB from Home Ave		0.62	22.8	C	0.72	30.3	D	0.11	8.3	A	0.11	8.3	A
	WB from Home Ave		0.76	29.7	D	1.00	68.7	F	0.25	8.8	A	0.27	9.0	A
	NB from Pine St		0.51	18.8	C	0.57	22.7	C	0.06	7.9	A	0.06	8.0	A
	SB from Pine St		1.47	241.8	F	1.69	338.9	F	0.24	9.3	A	0.25	9.3	A
	US 7 / Queen City Park (north)													
	NB left onto Queen City Park Rd		0.01	16.4	C	0.11	18.1	C	0.01	16.4	C	0.11	18.1	C



Red flag #2: Pine St.-Home Ave. Intersection





Red flag #3: Home / RR / QCP Road Multimodal Intersection

Multimodal use of this intersection

- Poor pavement
- Limited sidewalks and bike lanes
- Flooding
- Large curb radii



Red flag #4: Incremental truck traffic

Incremental truck traffic on Home Avenue

- Burton-South Burlington agreement pushes **all** Burton-related truck traffic onto Home Avenue, a small residential street
- Burton-South Burlington agreement item 2, Guidance for Service Vehicles (January 9, 2020) – “At your [South Burlington’s] request, Burton will advise all Burton-related truck traffic that will be using the gated service entrance to approach the Burton campus on QCPR from Home Avenue, and not from the One-Way (sic) bridge.”
- Transportation engineers made no attempt to quantify truck traffic volume or impact.



Red flag #5: Roadway Conditions

Can the roadway support massive increase in vehicle traffic?

- Over 225,000 incremental car trips
- Unknown number of incremental truck and bus trips
- Poor current roadway at Home Ave. from Batchelder to QCP road
- Poor paving at RR crossing
- Flooding and freezing

Concert events	
Events per week	4
Cars per event	350
Total trip per event (in and out)	700
Trips per week	2,800
Trips per year	145,600
Weekday AM and PM	
Weekday AM trips (daily)	6
Weekday PM trips (daily)	222
Total daytime trips	228
Trips per week	1,596
Trips per year	82,992
Total incremental trips	228,592

AM and PM data from VRB memorandum, October 2, 2019, page 7.

Summary

The Burlington HUB proposed development would add 222 PM rush hour trips, 1,000 evening and nighttime concert-related trips, plus an unknown volume of truck traffic.

- TIS focuses only on daytime traffic
- Studiously ignores evening and nighttime traffic
- #1: Causes significant PM and evening rush hour choke point on one-lane bridge
- #2: Significantly degrades LOS at Pine Street – Home Avenue intersection.
- #3: Degrades Home Ave – RR – QCP Road multimodal area
- #4: Pushes all Burton truck traffic onto Home Ave.
- #5: Massive increase in vehicle traffic on poor quality roads

Laura Waters Traffic Impact Study Assessment – August 4, 2020

Good evening, my name is Laura Waters & I live at 50 Central Ave in Queen City Park, South Burlington which is in the immediate neighborhood of the Burton campus. I am here to speak on behalf of the CRZ and also as an interested person in my own right.. My focus this evening is going to be the April 23 Traffic Impact Study & the follow up Additional Information for South Burlington.

A little background, I spent my over 30 year career as an environmental consultant for clients such as the Air Force, the Air National Guard and MARTA – Metropolitan Atlanta Rapid Transit Authority, so I have reviewed & prepared my share of reports & studies. The following comments are only examples and in no way reflect the full extent of the deficiencies of this report.

Remember that this applicant seeks approval for a 1,500 person venue which they estimated could include up to 500 vehicles (at 3 people per vehicle) entering between 6:00 – 7:00pm & leaving the venue between 11:00pm & 2:00am. However, per Norm Baldwin's email to Susan Molzen dated 7/31/202 he states" I think three people per vehicle under-estimates the volume of traffic introduced. Perhaps a happy medium of 2.5 per vehicle works."

This translates into the possibility of 600 vehicles.

RECEIVED

AUG 05 2020

**APRIL 23, 2020
TRAFFIC IMPACT STUDY**

BURLINGTON
PERMITTING & INSPECTIONS

EXAMPLE OF ORIGINAL STUDY FLAWS

Roadway Characteristics - Traffic study states that there were **significant construction projects** (Pine Street, KMART access) in the area that at the time of the study (July 2019) are likely to affect volumes at the intersections within the study area. Also, they assessed the traffic as through rather than assessing the condensed, high traffic volumes that would occur on the surrounding streets before & after concerts.

Trip Distribution - In the past Burton has stated that traffic issues would mostly be resolved by the Champlain Parkway but the report states on **Page 8** that traffic will stay on existing routes even if Champlain Pkwy constructed

Home/Pine intersection would be severely impacted. Their data indicates that there will be possible delays up to 350 seconds at the southbound Home Ave/Pine Street approach (Table 4, Page 13).



60 cars = 10 – 12% of possible traffic

Burton made a written agreement with SB concerning sending their trucks & buses down Home Ave from US-7. However, as stated on **Page 10** of the TIS, Burlington has redirected truck & bus traffic off of this portion of Home Ave to try to spare the residents the impact of this heavy traffic.

In addition, the safety aspect under *Safe Streets to School* was not addressed. In the Champlain Elementary School Travel Plan – “Home Avenue and Pine Street: This is a four way stop with no crossing guard to assist children. There is only a sidewalk on the east side of Pine Street, so all pedestrians cross to get to that sidewalk. Parents report that cars in their hurry to get through the intersection ignore pedestrians.” Even though school hours typically do not overlap with the PM peak hours, there are school functions that do occur in the evening and the children and families would be walking home from these activities via this intersection.

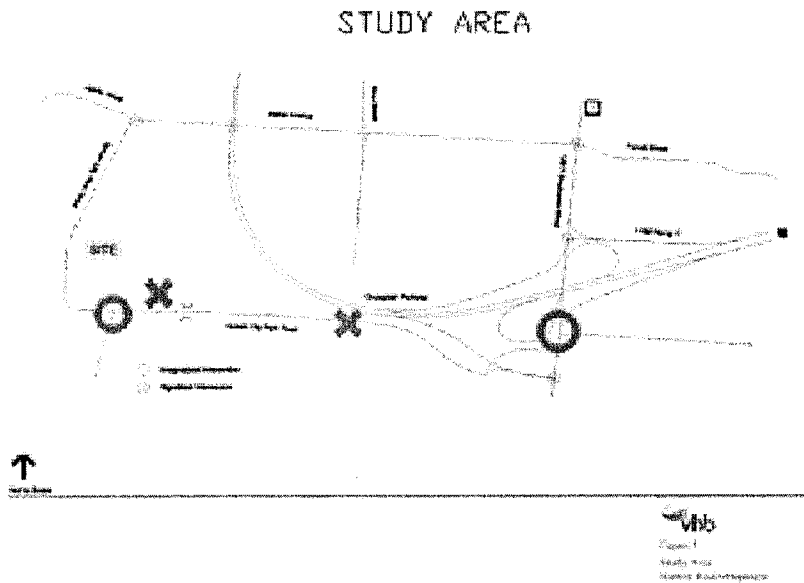
Parking Evaluation

The current plan for this venue has ~425 parking spaces but the venue has been approved for 500 vehicles (or 600 if you go along with Norm Baldwin’s assumption of 2.5 people per vehicle). The parking management plan does not address what they plan for the anticipated additional 75 or 175 vehicles or any vehicle parking that is off of their campus. Justin Worthley stated previously that Burton has no control over where people park on public streets such as Central Ave in South Burlington.

OMISSIONS

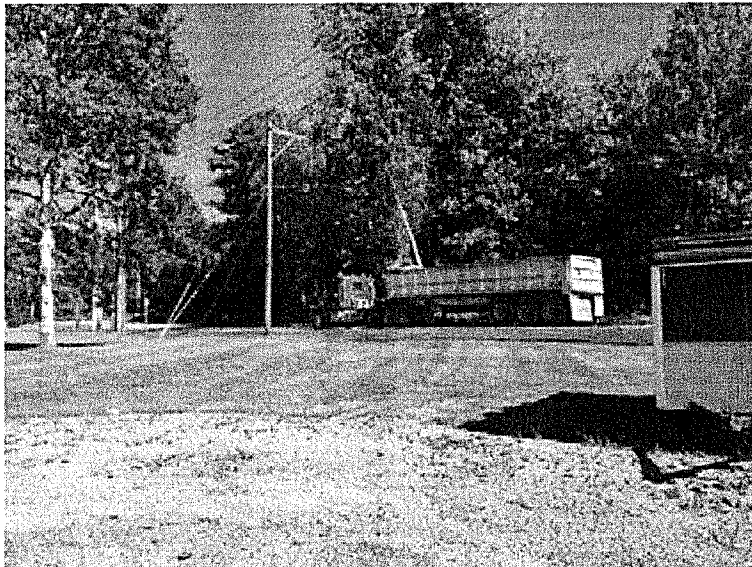
Examples are the study area (**Page 2**) which did not include an assessment of the QCP Rd & Central Ave intersection (which the city’s consultant repeatedly questioned), Swift Street at US7, or the 5 curb cuts that the venue attendees will use pre & post concerts.

They are also assuming that once the Champlain Parkway is in place, Pine Street will dead end at the Champlain Parkway and no longer connect to Queen City Park Road.

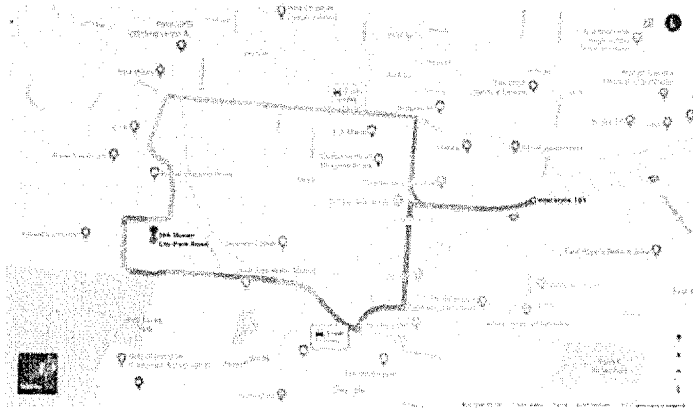


The Safety Assessment did not include discussion of the South Burlington high crash area southbound from Swift Street on US-7. No mention of the impact of the proposed new curb cut that would be located between Central Ave and the one lane bridge.

There was no assessment of the impact of the Barrett heavy truck traffic or the multiple GMT bus trips along QCP Road.



The traffic data from HG states that **trip distribution** - 30% from the north, 20% from the south & 50% from I-189. They anticipate up to 500 vehicles for a large show which means up to 70% of the traffic attending a concert could be turning onto QCP Road from the north & south off of Rt 7 (or up to 350 additional cars could be making that turn onto QCP Road).



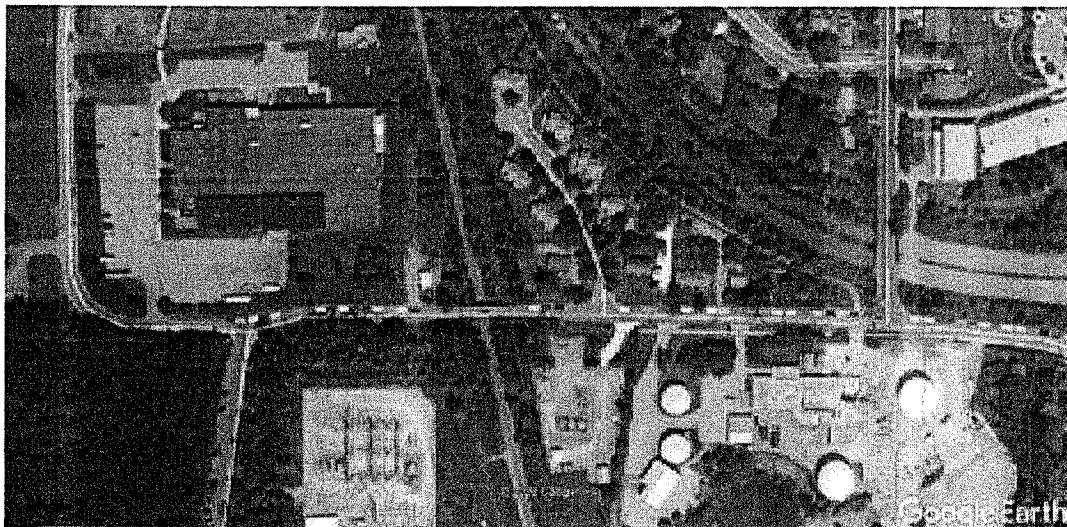
APRIL 23, 2020

ADDITIONAL INFORMATION FOR SOUTH BURLINGTON VERMONT

EXAMPLE OF REPORT FLAWS

Existing Roadway Conditions – 400 feet of side path from Central to the one lane bridge. What they are referring to is a small paved walk at the west corner of Central Ave the remaining is a dirt shoulder where vehicles pull over to let vehicles coming west over the bridge pass.

Other Analysis - Study states that PM peak hour traffic entering site more likely to use Home Ave to reach the site. However, existing site trip generation (Page 4) states that 60% will travel over the one lane bridge = 300 vehicles. Completely contradicts other conclusions.



60 cars = 10 – 12% of possible traffic

Also the BFP June 20, 2020 article quotes Justin Worthley: "Traffic would rely on the one-way (sic) bridge on Queen City Park ..."

South Burlington Report Conclusion

Burton/Higher Ground are declaring that the operational plan addresses the concerns raised by the neighbors and officials with concerns regarding traffic, parking and safety. There is no doubt that Higher Ground is skilled at moving large crowds & vehicles associated with venue attendees. However, the operational plan is heavily weighted toward signage & control of intoxicated patrons. The plan does nothing to protect the surrounding neighborhoods from the vehicular impact coming on QCP Road across the one lane bridge as neighbors, Barrett Trucks and GMT buses are attempting to travel locally on the same route, it in no way can protect the neighbors on Home Ave from traffic disruption between QCP Road and Rt 7, it does not address the traffic backups from the RR crossing near the QCP Road /Home Ave intersection, it does not protect our neighborhood from pre-concert patron encroachment when staff tells tailgaters to, as Mark Balderson said, "go somewhere else".

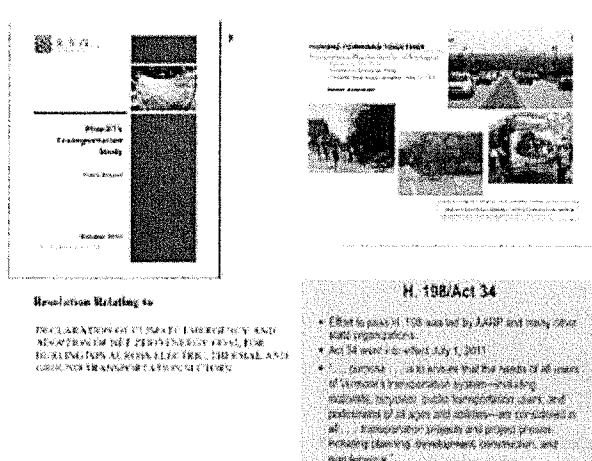
In addition, the site is working to encourage non-automobile trips by working with GMT and area colleges to provide busses and shuttles for patrons to the site. Where is this included in the traffic study?

Finally, the plan contains direction to staff to ensure that cyclist travel on the safer of the two routes leaving the site when visibility is poor.

Human Powered Trips – does not pass the straight face test. Mike Turner will discuss further

MIKE TURNER'S NEIGHBORHOOD DISCUSSION HERE

The following goals, declarations and requirements do not into appear to have been incorporated into the TIS.



These include:

PLANBTV GOALS/DESIRED PLANNING OUTCOMES

- Provide a focused sustainable transportation and accessibility system within the context of the existing street network and emphasizing alternatives to the single occupancy vehicle (SOV).
- Provide the quality and capacity of public infrastructure, including pedestrian, bicycle, parking, and/or transit-related facilities, necessary to support new or expanded commercial and residential development.

MOVING FORWARD TOGETHER

Transportation Plan for the City of Burlington

- Safety is of critical importance, particularly where walkers and bikers interact with cars and trucks.
- Walking is the fundamental urban transportation mode and is an essential part of all trips, especially transit trips. Walking is healthy, good for the environment, and does not contribute to congestion. This Transportation Plan envisions a fully walkable city.
- Biking
The Transportation Plan supports biking as a transportation choice that is non-polluting, energy efficient, and promotes good health. This Transportation Plan calls for a complete bike network.

CLIMATE EMERGENCY DECLARATION – September 2019

- **BE IT FURTHER RESOLVED** that the City Council and the City of Burlington issue a call to action for all Burlingtonians to take steps to reduce and eventually eliminate fossil fuel use across the electric, thermal and ground transportation sectors in our community, including weatherizing homes and buildings, installing efficient electric heating and cooling technologies, reducing vehicle miles traveled through walking and biking and public mass transit, and switching from fossil fuel vehicles to electric-powered vehicles for transportation;

Act 34: MUNICIPAL REQUIREMENTS UNDER THE ACT

- A complete streets policy for Vermont is implemented by Act 34 of the 2011 Legislature: An act relating to a transportation policy that considers all users. The purpose of this bill is to ensure that the needs of all users of Vermont's transportation system—including motorists, bicyclists, public transportation users, and pedestrians of all ages and abilities—are considered in all state and municipally managed transportation projects and project phases, including planning, development, construction, and maintenance, except in the case of

projects or project components involving unpaved highways. These “complete streets” principles shall be integral to the transportation policy of Vermont. All levels of government are subject to the provisions of the act, and the following outlines the specific requirements for municipalities: 19 V.S.A. § 309d.

CLOSING

In closing, the conclusion of the TIS states: “the delay increases associated with the project at the study area intersections are anticipated to be minor except at the intersection of Pine Street and Home Avenue when the Champlain Parkway is not constructed”. I did not discuss the Champlain Parkway in this review because of the many, many unknowns and years that are associated with its final approval & construction.

However, until recently, Burton insisted that the Champlain Parkway was critical to this project:

BFP January 16, 2019 article. “The Parkway is critical,” Worthley told member of the Planning Commission. Without easy access via the Champlain Parkway, he added music, food and skateboard fans would have to thread their way through a residential neighborhood – or across a single-lane railroad bridge – to reach this corner of Burlington. The status quo, in other words, is a deal-killer.

During the **1/17/19 NPA 5 meeting:** (Transcriptions from Justin Worthley) – Concerns about 1 way bridge. Sketchy. Talking to PW. Rd is challenge, *a lot of congestion, buses, Barrett trucks, employees, walking dogs, skateboarding, no sidewalks, no bike lanes.* Talking to city. Need to work on that. With parkway, people will come & go on parkway rather than across bridge.

But, most recently, Burton has stated:

BFP June 20, 2020 article. “Traffic would rely on the one-way bridge on Queen City Park road and would be “deterred” from turning onto Central Avenue (South Burlington) before and after concerts.

So, which is it? Do they need the Champlain Parkway for this proposed venue or will Burton & the city be happy as 500 cars, and I quote: “thread their way through a residential neighborhood – or across a single-lane railroad bridge”.

The TIS did not adequately address even the most fundamental aspects of how this proposed redevelopment could be an option until the appropriate infrastructure, including the Champlain Parkway, is completed.

I respectfully ask that the DRB require Burton's traffic consultant to prepare a thorough Transportation Impact Study that follows the VTrans Traffic Impact Study Guidelines and meets the above City of Burlington and State of Vermont criteria to address safe infrastructure for bicyclists, public transportation users, and pedestrians of all ages and abilities. I urge the board to include conditions of approval to require that all transportation infrastructure needed to support a project of this magnitude is in place before this venue opens for business.

RECEIVED

AUG 05 2020

BURLINGTON
PERMITTING & INSPECTIONS

Good afternoon and thank you all for your service and your commitment to ensuring that Burlington continues to be a vibrant and livable city for all its residents.

My name is Laurie Smith I own and live at the property known as 50 Central Ave., South Burlington, which is in the immediate neighborhood of the Burton campus. I am here to speak on behalf of CRZ and also as an interested person in my own right".

Our group is very much in favor of having the Burton campus revitalized. However this project as outlined is out of scale for the location. Our goal is to ensure that the neighborhoods surrounding this property are not negatively impacted by this development. We think this can be accomplished by a reduction in scale and the imposition of structural conditions that can be easily enforced.

We will be as brief as possible while still effectively covering the main deficiencies in the noise and transportation studies, and addressing public safety, as well as the significant infrastructure improvements that in our opinion must be addressed and mitigated before the DRB can approve this Permit.

Creating a rock concert venue for up to 1,500 people, serving alcohol, including a 2,300 sq ft outdoor lounge, and operating past 10PM and occasionally into the wee hours of the morning will negatively impact the quality of life for, and has the potential to make life miserable at times for, the adjoining residential neighborhoods.

What makes Burlington special is that there are quiet neighborhoods within the city. Preserving this is essential to maintaining quality of life for our residents and ensuring that people want to continue to live locally. The city noise ordinance, which is designed to contain disturbances from parties and large gatherings, is the reason that the residential neighborhoods around the university and colleges remain livable. Our south end neighborhoods deserve the same protections that are granted by this ordinance. Even approved uses within the E-LM zone are required to operate within the constraints of the noise ordinance. After the fact compliance is much harder to enforce and this Conditional Use process is designed to preemptively protect citizens from undue noise impacts. The scale and hours of operation of this venue as proposed will have noise impacts that are in direct violation of Burlington's Noise Ordinance. 5.5.1 of the Burlington CDO states no permit shall be issued without compliance with the noise ordinance

The E-LM zone was originally established and designed as an industrial park and until last year the use proposed in this application was not allowed. The infrastructure in this area was not designed for and is not suitable for pedestrians, bicycles and high volume traffic, and is in a location that has no direct access to arterial roads. These facts prevent this application from being able to satisfy the Conditional Use Review Standards until such time as the city and/or

Burton complete the improvements necessary to ensure the safety of the public around this venue.

We will address these and other pertinent deficiencies in this presentation and urge the DRB to condition remedies to all of the deficiencies prior to approval of this application.

I now introduce Doug Goodman who will speak to safety issues:

CONCLUSION:

In closing, thank you again for giving us the time to make this presentation.

Because of the number of unresolved issues regarding traffic, noise, and safety we urge this board to consider holding separate hearings for each of these issues to ensure that they are comprehensively reviewed and properly mitigated. In particular, we ask that the applicant provide the raw data our noise experts have requested and that we be given a reasonable amount of time to analyze it.

Your decision on this application will impact many Burlington and South Burlington residents. If this venue is approved, without ensuring that the above issues are resolved, there will be ongoing disturbances that will be difficult if not impossible to fix in retrospect.

We ask that you either deny this permit application as presented or take the time to further investigate and to impose conditions of approval that ensure that the issues we have raised are addressed and resolved.

The following specific conditions seem necessary and appropriate to be included as part of any approval of this application:

- Postponing operation of this venue until completion of Champlain Parkway and all other necessary infrastructure including, but not limited to, sidewalks bike lanes, crosswalks, and relocation of truck and bus access away from Central Ave and the one way bridge.

CU Criteria #4:

- Address safe infrastructure for bicyclists, public transportation users, and pedestrians of all ages and abilities,
 - Completion of, at least, a continuous sidewalk/crosswalk along entire length of QCP Road from Home Ave. to the existing sidewalk at the Champlain Water District plant.
 - Completion of bike lanes on QCP Road, Home Ave., and Pine St.

- Address the significant traffic, pedestrian & bicyclist infrastructure deficiencies at the one lane bridge.
- Locate all curb-cuts from the Burton Campus to exit west onto the section of QCP Road that is heading north towards Home Ave to direct Truck and Vehicular traffic towards the Champlain Parkway.
- Restrict hours of operation.
- Creation of a legally binding, enforceable Operational Management Plan acceptable to, AND INDEPENDENTLY ENFORCEABLE BY, INTERESTED PERSONS IN THIS PROCEEDING.

In addition, before issuance of any permit, we request completion of current ambient noise level monitoring and collection at the SW or SE corner of Central Ave, cul de sac at Arthur Court, RedRocks Condos behind E-LM zone, and/or other locations as agreed upon by RSG & Cavanaugh Tocci, and sound analysis and mitigation recommendations by Greg Tocci be completed to ensure that there will not be adverse noise impacts from late night operation. CU criteria # 2 & 6.

I trust that as a board you will take these concerns into consideration, and thank you again for your commitment to keeping Burlington vibrant and livable.

We are open to any questions you have for us. Thank you.

Good Evening Board Members,

For the record, my name is Lori Hayes, I live at 3 Lyons Ave in Queen City Park. I represent both the Citizens for Responsible Zoning, the CRZ, and myself as a South Burlington resident.

The CRZ, despite being characterized in a recent email by Justin Worthley, as a small group of "critics attempting to dominate the narrative", actually represents dozens of households in each of the communities surrounding the Burton campus, including Queen City Park, Red Rocks, Arthur Court, Ledgewood, Dunder Rd., Southwind, South Crest, Home Ave, and South Cove. We neighbors are legitimately concerned about the scale, scope and impact of this proposed project.

As you will hear from my fellow neighbors, the CRZ has worked hard to focus on the science and fact-based components of Burton's application as submitted, not on fears, emotions, or on the reliance of unsupported promises that everything will be "just fine".

We remain concerned that there are serious gaps in the information we are all are receiving. CRZ members have been told time, and time again, in our good faith negotiations with Burton staff that our ongoing concerns would be fully detailed and addressed in the Management Plan.

However, this limited 1.5 page document offers little additional information outside of details related to concert security, parking and compliance with liquor laws. It doesn't address any day-time activities, nor does it discuss how tail-gating outside the campus will be handled. It doesn't specify how the BPD and SBPD police will incorporate additional concert-related calls given upcoming force downsizing. Regarding late-night intermittent noise, Burton and Higher Ground offer nothing. But this is the biggest source of anticipated sleep disturbance, as our expert(s) will explain.

Most importantly, it doesn't address how any of these action steps will be enforced, or even if they will be enforceable at all. Higher Ground/Burton staff have no authority outside their campus limits, police resources are always limited on busy nights, and we all know that signage, for such things as dog walking and parking at Red Rocks Park, is often ignored and rarely enforced.

We as neighbors are very worried that the responsibilities of enforcement will, in practicality, fall on us. We will be the ones in the position of having to alert the police, the city or Higher Ground staff, if and when, something goes wrong. We can't express how much we don't want that role.

The CRZ trusts that you members of the DRB will hold this application to each and every standard by which you are required to judge a proposal. No doubt, Burton is a valuable asset to the community and the idea of a community "hub" has real merit. But Burton's giant "cool factor" and solid community history can't be enough to overshadow the serious information gaps presented in this application you are reviewing.

Thank you for your work, and I yield my time.

RECEIVED

AUG 05 2020

BURLINGTON
PERMITTING & INSPECTIONS

Scott Gustin

From: Stephanie Auge <twirl25@gmail.com>
Sent: Saturday, August 08, 2020 7:55 AM
To: Scott Gustin
Subject: Concerns regarding Burton venue

WARNING: External Message

Dear Mr. Guston,

I have lived on Dunder Rd. for 44 years. The South end was a wonderful place to raise our children and we continue to enjoy its peacefulness at this stage of our lives.

I am extremely concerned about the concert venue Burton is proposing. We could endure and enjoy the music and noise from the Reggae Festival..but that was once a year.

Our home backs up to the woods and we can hear loud noise from Industrial Ave. The people in Queen City Park will feel the brunt of this noise, not only from the venue attraction, but also the noise the large number of cars will generate.

I know many of these people as I taught their children in school. It is a great area which will be unfairly impacted by this proposal.

There are other places more suitable.

Please consider them.

Thank you.

Stephanie Auge

Scott Gustin

From: Stephanie Herrick <stephherrick@myfairpoint.net>
Sent: Saturday, August 08, 2020 11:04 AM
To: Scott Gustin
Subject: Re: Burton/Higher Ground

[WARNING]: External Message

Dear Scott and Members of the DRB,

My main concern, as I said at the 8/4 hearing, is the large outdoor lounge. There is no outside lounge at this time, so it would have to be constructed (which is much more than a facade improvement). I see no way to control the noise in an outside lounge. There will be voices, perhaps drinks served, waiters going in and out, music that is either on cell phones or heard when doors open and close. As you have heard several times, the noise travels easily to us at Redrocks, as we are higher than other buildings in the area.

I am also concerned with the number of concerts that are planned. Being over 100, they will be every Thursday, Friday, and Saturday nights throughout the year. Both the traffic and noise will destroy the residential quality of the surrounding area. Please consider this in making your decision.

Thank you for your service to Burlington.

Stephanie Herrick

651 9818

161 Austin Drive Unit 151

Scott Gustin

From: Matthew Kolan <matthew.kolan@yahoo.com>
Sent: Sunday, August 09, 2020 7:34 PM
To: Scott Gustin
Subject: Comments on burton proposal

[WARNING] External Message

Hi Scott,

My name is Matt Kolan and I live at 32 Central Ave - just 100 yards down the street from the proposed Higher Ground/Burton concert venue that is being reviewed by the DRB. I am writing to formally express my opposition to this development project. I am a musician, and a lover of live music. I have actually played at Higher Ground many times myself. When I first learned of this project, the idea of bringing a live music venue to our neighborhood seemed very exciting and promising. However, after having attended a number of meetings with Burton and Higher Ground, and having reviewed the development plans, I have become very disheartened by this proposal. It's become evident that the scale of this project and the inevitable impacts on the neighborhoods and Red Rocks park will be unreasonable. The most significant of these impacts include late-night noise that will undoubtedly keep us awake when hundreds of concert goers spill out into the parking lot (after midnight, multiple nights per week). While Higher Ground has publicly suggested they will do everything to soundproof the concert venue, the late night neighborhood noise will be caused by raucous concert goers leaving the venue. Anyone who has stood in the parking lot of the current Higher Ground location (which is much smaller than this proposed venue) as a large show empties into the parking lot will recognize the unreasonable impact that this will have on the surrounding neighborhoods. Furthermore, there's no question that departing concert goers will often make their way into red rocks Park (a significant wildlife habitat area and ecological treasure) looking for something to do after the concert. Situating such a large concert venue in a residential neighborhood is disrespectful and completely inappropriate - especially when there are so many locations that have better parking and infrastructure (no one-way bridge) and are not surrounded by residential areas.

I am not anti-development. I can imagine many thoughtful development projects that could utilize Burtons empty warehouse. I can also imagine a music venue in this location that could be community supported, and at the appropriate scale, minimize adverse and unreasonable impacts. This Higher Ground project is absolutely not one of them. The process and community conversations with Burton have made it abundantly clear that the major concerns expressed by the local community are not being reasonably attended to. One of the criteria for approving this development is that it does not cause unreasonable impact. As one of the closest neighbors to this concert venue, I cannot possibly imagine how the DRB could believe that this would be the case.

Thank you for reviewing my comments and I hope the DRB puts the well-being of its community members over the profit of a business enterprise that is inappropriately scaled and designed for this neighborhood.

Sincerely,

Matt Kolan
32 central ave

Scott Gustin

From: win741@aol.com
Sent: Monday, August 10, 2020 12:20 PM
To: Scott Gustin; vermontzoning@aol.com
Subject: Higher Ground

WARNING: External Message

Dear Mr. Gustin,

I posted the first message listed on this edition of the Front Porch Forum. Having received a number of responses from neighbors on this site, and following the request from them to write to you, I am including the original post.

Burton company claims to seek to be a truly positive presence in the neighborhood. So far it has certainly fulfilled this promise. However, an addition of a night club where alcohol, very high decibel music, gatherings of high numbers of primarily young adults in their twenties (and younger), with performances late into the small hours of the night/next day--this demographic does not fit into any conceivable category of enhanced community family life.

The neighborhood they will place this in is one primarily, of day time businesses and very small homes/residences. Sound will reverberate within a bowl geographically: the land of this site is on the lower ground near Lake Champlain, from which sound will carry up eastward as well as to the south(deeply impacting Queen City/South Burlington neighborhood) and north(from Home Avenue to Flynn Avenue).

That is the sound, and it will reverberate in spite of sound proofing Burton claims will be in place (itself a recognition of a problem). But that is only one factor. There are many other problems involved with such an expansion. The traffic will be heavy, at times of the night when this area is asleep because it is a neighborhood of young families with children who must be up early the following day.

While Burton claims a wholesome influence on those they will be affecting, whether early in the night before drinking and gaining a state of mind/body that does not inspire quiet, careful exits at one or two in the morning, or late into the night when a certain amount of reckless, loud behavior will predictably follow--surely Burton must know this cannot be contained or avoided.

Burton promises a regulated exit from their property as the audience departs (itself, once again, a recognition of a potential problem for the area), this can well be the case for the parking lot and nearby streets. However, once driving through the area, on Home, or Morse Place, or the other extremely small streets that challenge more than two cars to travel safely on--these streets and the small family homes that inhabit them will invariably be disturbed. Audiences will depart with the decibel challenging rhythms sustained in their fully equipped stereo systems, to retain the thrill of the sounds as long as possible.

There will also be foot traffic that cannot possibly be promised to be quiet, well behaved groupings.

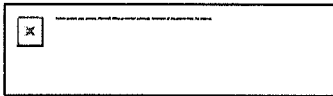
Having once been a happy part of the audience of such places, I am fully familiar with the positive aspects of such venues, and of Higher Ground in particular. Such entertainment is wonderful in its proper place--a Higher Ground on Main Street in Burlington would certainly enhance our city! But to place it in this quiet area where such venues are non-existent is unfair, thoughtless, intrusive, and problem-generating.

I look forward to hearing from you, and sharing with my fellow neighbors your thoughtful response.

Sincerely yours,
Winifred Don
Ward Five
Richardson Street

-----Original Message-----

From: Front Porch Forum <theaddition@frontporchforum.com>
To: win741@aol.com



Compose

The Addition Forum

Issue No. 3832 • Aug 5, 2020



In This Issue:

Re: Higher Ground Proposal

Discussion • Winifred Don, Richardson St, Burlington

Hiroshima and Nagasaki Commemoration

Event • Jane Hendley, Flynn Ave, Burlington

Mayor's Updates: Covid-19, Cityplace, Racial Justice

Announcement • Office Of The Mayor, Mayor, Burlington

Resident Parking Renewal

Announcement • Shannon Trammell, Executive Assistant, Burlington Police Dept., Burlington

Re: Higher Ground Proposal

Winifred Don • Richardson St, Burlington

Discussion

I could not make this meeting: I was at one last year where it was so crowded with residents who opposed this development. I think people are worried about such a huge addition that increases noise, crowds, crime, traffic, well beyond the capacity of the area. Can we decide to approve this? Why isn't this on our ballot to vote for or against it?

Email Author

Reply to Forum

Hiroshima and Nagasaki Commemoration

Jane Hendley • Flynn Ave, Burlington

Event

The dropping of atomic bombs on the cities of Hiroshima and Nagasaki, Japan happened 75 years ago this month. . for several events on August 6 starting at 6:00 PM at the top of Church Street with a march and skits and ending up

Attention Burlington Landlords and Renters!

Are you unable to pay rent, have back rent due, or at risk of losing your housing during COVID? The Vermont State Landlord.

Mayor's Updates: Covid-19, Cityplace, Racial Justice

Our community's sustained success in suppressing the coronavirus has been a remarkable, lifesaving achievement. confidence that we can do what needs to be done to get through this pandemic together.

The City will continue to do its part. Every day, your City team fights to keep the virus contained. We help set up and ensure there is a strong testing, tracing, and isolation plan in place for the return of students, collaborate with the Burlington Regional Response Council (RRC) that has responded to over 1,500 individual requests since the pandemic began, and much more. I wake up every day and deploy substantial emergency resources to keep the Burlington's COVID-19 response and recovery efforts robust.

Our success to date has hinged on collective action, and will only continue if all of us continue to do our parts as m
To help you do your part we have assembled considerable coronavirus resources on the City website:

The site includes recordings of my regular conversations with Dr. Stephen Leffler of the UVM Medical Center, the

CityPlace Burlington

In July, I directed our attorneys to issue a letter of default to the developer of CityPlace Burlington for their failure committed to completing the transformational redevelopment of the former mall into a vibrant, mixed-use neighborhood. unacceptable to me that one of the largest companies in the world is not making good on their promises to the people. If not happen quickly we will move forward with aggressive legal action to hold Brookfield accountable for their failure.

http://post.spmailtechno.com/f/a/v3ex6SY5TZapi7_huyqVwQ~/AAQuHwA~/RgRhDaGUP0QbaHR0cDovL3d3

During this period of uncertainty with this important downtown project, I want residents to know three things. First negotiated an agreement that has the developers paying for the City's project costs. Second, with the failing mall but map, we are much closer to the planBTV vision of a vibrant, mixed-use neighborhood in this part of the City than of the major challenges we have faced together – from the BT lawsuit, the redevelopment of the northern waterfront until the vision the community voted for in 2016 is realized.

Declaration of Racism as a Public Health Emergency

The coronavirus has laid bare a terrible and longstanding truth: Black and brown Americans experience far worse racism. This is why, in July, I worked with the Vermont Racial Justice Alliance and more than 30 Chittenden County ongoing joint action to eliminate race-based health disparities and eradicate systemic racism in Chittenden County.

To make progress, we will need to address all of the social determinants of individual and public health, from health impactful partners in all of these areas, with more continuing to sign on. I am deeply and personally committed to lasting change. You can read more about this declaration and immediate actions on the City website.

Talk to you soon,
Miro

Email Author

Reply to Forum

Buying or Selling a Home or Other Real Estate?

Paid Ad

Wick & Maddocks law firm has been representing real estate buyers and sellers since 1980, with offices in Burlington. jeff@wickandmaddocks.com.

Learn More

Resident Parking Renewal

Shannon Trammell • Executive Assistant, Burlington Police Dept., Burlington

Announcement

City of Burlington Resident Parking Permits can now be renewed online. Please visit: <https://burlington.t2hosted.com>

Go to the bottom of the screen and select "RESIDENTIAL PERMIT REQUEST." You will need to create (or login

If you need assistance, please call 802-540-2380

Email Author

Reply to Forum

Individualized and Heartfelt, as Education Should Be

Paid Ad

Schoolhouse has always been committed to learning outside the classroom walls. Now more than ever, our flexible
Preschool through 8th grade.

Find Out More



Community Calendar

Hiroshima and Nagasaki Commemoration

Aug 6, 2020, 6:00 PM to 8:30 PM

Free Cheese, Bacon is Back + Farm Week!

Aug 10, 2020, 12:00 PM to 2:00 PM

See More Events

Add Event

Download FPF's mobile app today!



More Postings from Neighboring Forums

Birchcliff

Everyone Eats Initiative • Hazard Pay, Food Security,... • Senate Forum on School... • and more!

Eastwoods

VT Senate Discussion with... • Community Hike at Wheeler Nature... • and more!

Lakeside

Preserve 32 Lakeside Ave ~ Don't...

Oakledge

Looking for Mid-Century Furniture

Queen City Park

Housing • and more!

Redstone Quarry

Tomo Moped for Sale

© 2006-2020 Front Porch Forum® All rights reserved.
Front Porch Forum® is the registered trademark of Front Porch Forum, Inc.

This email was sent to you because you are a member of Front Porch Forum. You can [manage your account](#) or [unsubscribe from this Email Forum](#).

This neighborhood forum is a community service provided by FPF. We are open to your suggestions for improvements. We reserve the right to edit/decline or remove any user statements that do not attest to the truth of any user statements. For complete FPF Terms of Use and Privacy Policy, see frontporchforum.com.

Thank you for participating!

Front Porch Forum, PO Box 64781, Burlington, VT 05406

[Compose](#) [FAQ](#) [Contact](#) [Donate](#)

Scott Gustin

From: win741@aol.com
Sent: Monday, August 10, 2020 12:22 PM
To: Scott Gustin
Subject: Fwd: Higher Ground

WARNING: External Message

-----Original Message-----

To: SGustin@burlingtonvt.gov <SGustin@burlingtonvt.gov>; vermontzoning@aol.com <vermontzoning@aol.com>
Sent: Mon, Aug 10, 2020 12:19 pm
Subject: Higher Ground

Dear Mr. Gustin,

I posted the first message listed on this edition of the Front Porch Forum. Having received a number of responses from neighbors on this site, and following the request from them to write to you, I am including the original post.

Burton company claims to seek to be a truly positive presence in the neighborhood. So far it has certainly fulfilled this promise. However, an addition of a night club where alcohol, very high decibel music, gatherings of high numbers of primarily young adults in their twenties (and younger), with performances late into the small hours of the night/next day--this demographic does not fit into any conceivable category of enhanced community family life.

The neighborhood they will place this in is one primarily, of day time businesses and very small homes/residences. Sound will reverberate within a bowl geographically: the land of this site is on the lower ground near Lake Champlain, from which sound will carry up eastward as well as to the south(deeply impacting Queen City/South Burlington neighborhood) and north(from Home Avenue to Flynn Avenue).

That is the sound, and it will reverberate in spite of sound proofing Burton claims will be in place (itself a recognition of a problem). But that is only one factor. There are many other problems involved with such an expansion. The traffic will be heavy, at times of the night when this area is asleep because it is a neighborhood of young families with children who must be up early the following day.

While Burton claims a wholesome influence on those they will be affecting, whether early in the night before drinking and gaining a state of mind/body that does not inspire quiet, careful exits at one or two in the morning, or late into the night when a certain amount of reckless, loud behavior will predictably follow--surely Burton must know this cannot be contained or avoided.

Burton promises a regulated exit from their property as the audience departs (itself, once again, a recognition of a potential problem for the area), this can well be the case for the parking lot and nearby streets. However, once driving through the area, on Home, or Morse Place, or the other extremely small streets that challenge more than two cars to travel safely on--these streets and the small family homes that inhabit them will invariably be disturbed. Audiences will depart with the decibel challenging rhythms sustained in their fully equipped stereo systems, to retain the thrill of the sounds as long as possible.

There will also be foot traffic that cannot possibly be promised to be quiet, well behaved groupings.

Having once been a happy part of the audience of such places, I am fully familiar with the positive aspects of such venues, and of Higher Ground in particular. Such entertainment is wonderful in its proper place--a Higher Ground on Main Street in Burlington would certainly enhance our city! But to place it in this quiet area where such venues are non-existent is unfair, thoughtless, intrusive, and problem-generating.

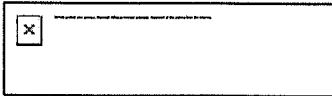
I look forward to hearing from you, and sharing with my fellow neighbors your thoughtful response.

Sincerely yours,

Winifred Don
Ward Five
Richardson Street

-----Original Message-----

From: Front Porch Forum <theaddition@frontporchforum.com>
To: win741@aol.com
Sent: Wed, Aug 5, 2020 4:54 pm
Subject: The Addition Front Porch Forum No. 3832



Compose

The Addition Forum

Issue No. 3832 • Aug 5, 2020



In This Issue:

Re: Higher Ground Proposal

Discussion • Winifred Don, Richardson St, Burlington

Hiroshima and Nagasaki Commemoration

Event • Jane Hendley, Flynn Ave, Burlington

Mayor's Updates: Covid-19, Cityplace, Racial Justice

Announcement • Office Of The Mayor, Mayor, Burlington

Resident Parking Renewal

Announcement • Shannon Trammell, Executive Assistant, Burlington Police Dept., Burlington

Re: Higher Ground Proposal

Winifred Don • Richardson St, Burlington

Discussion

I could not make this meeting: I was at one last year where it was so crowded with residents who opposed this development. People are worried about such a huge addition that increases noise, crowds, crime, traffic, well beyond the capacity of the area. Can we decide to approve this? Why isn't this on our ballot to vote for or against it?

Email Author Reply to Forum

Hiroshima and Nagasaki Commemoration

Jane Hendley • Flynn Ave, Burlington

☐ Event

When: Aug 6, 2020, 6:00 PM to 8:30 PM

The dropping of atomic bombs on the cities of Hiroshima and Nagasaki, Japan happened 75 years ago this month. For several events on August 6 starting at 6:00 PM at the top of Church Street with a march and skits and ending up

[Email Author](#)

[Reply to Forum](#)

Attention Burlington Landlords and Renters!

Paid Ad

Are you unable to pay rent, have back rent due, or at risk of losing your housing during COVID? The Vermont State landlord.

[Learn More Online](#)

Mayor's Updates: Covid-19, Cityplace, Racial Justice

Office Of The Mayor • Mayor, Burlington

Announcement

Neighbors,

Our community's sustained success in suppressing the coronavirus has been a remarkable, lifesaving achievement. I have confidence that we can do what needs to be done to get through this pandemic together.

The City will continue to do its part. Every day, your City team fights to keep the virus contained. We help set up and ensure there is a strong testing, tracing, and isolation plan in place for the return of students, collaborate with the Board of Regional Council (RRC) that has responded to over 1,500 individual requests since the pandemic began, and much more. I wake up every day and deploy substantial emergency resources to keep the Burlington's COVID-19 response and recovery efforts robust.

Our success to date has hinged on collective action, and will only continue if all of us continue to do our parts as much as we can. To help you do your part we have assembled considerable coronavirus resources on the City website: http://post.spmailtechno.com/f/a/a_0acoegFXi3Rywl3hDpzw~/AAQuHwA~/RgRhDaGUP0QkaHR0cDovL3d3d The site includes recordings of my regular conversations with Dr. Stephen Leffler of the UVM Medical Center, the

CityPlace Burlington

In July, I directed our attorneys to issue a letter of default to the developer of CityPlace Burlington for their failure to complete the transformational redevelopment of the former mall into a vibrant, mixed-use neighborhood. It is unacceptable to me that one of the largest companies in the world is not making good on their promises to the people of Burlington.

not happen quickly we will move forward with aggressive legal action to hold Brookfield accountable for their failure.
http://post.spmailtechno.com/t/a/v3ex6SY5TZapi7_huyqVwQ~/AAQuHwA~/RgRhDaGUP0QbaHR0cDovL3d3

During this period of uncertainty with this important downtown project, I want residents to know three things. First, we negotiated an agreement that has the developers paying for the City's project costs. Second, with the failing mall blueprint, we are much closer to the planBTV vision of a vibrant, mixed-use neighborhood in this part of the City than in the past. Third, despite the major challenges we have faced together – from the BT lawsuit, the redevelopment of the northern waterfront, and the loss of the waterfront until the vision the community voted for in 2016 is realized.

Declaration of Racism as a Public Health Emergency

The coronavirus has laid bare a terrible and longstanding truth: Black and brown Americans experience far worse racism. This is why, in July, I worked with the Vermont Racial Justice Alliance and more than 30 Chittenden County residents in an ongoing joint action to eliminate race-based health disparities and eradicate systemic racism in Chittenden County.

To make progress, we will need to address all of the social determinants of individual and public health, from health care to housing, with more continuing to sign on. I am deeply and personally committed to making lasting change. You can read more about this declaration and immediate actions on the City website.

Talk to you soon,
Miro

[Email Author](#) [Reply to Forum](#)

Buying or Selling a Home or Other Real Estate?

Paid Ad

Wick & Maddocks law firm has been representing real estate buyers and sellers since 1980, with offices in Burlington and Montpelier. jeff@wickandmaddocks.com.

[Learn More](#)

Resident Parking Renewal

Shannon Trammell • Executive Assistant, Burlington Police Dept., Burlington

Announcement

City of Burlington Resident Parking Permits can now be renewed online. Please visit: <https://burlington.t2hosted.com>

Go to the bottom of the screen and select "RESIDENTIAL PERMIT REQUEST." You will need to create (or login to) an account.

If you need assistance, please call 802-540-2380

[Email Author](#) [Reply to Forum](#)

Individualized and Heartfelt, as Education Should Be

Paid Ad

Schoolhouse has always been committed to learning outside the classroom walls. Now more than ever, our flexible Preschool through 8th grade.

Find Out More



Community Calendar

Hiroshima and Nagasaki Commemoration

Aug 6, 2020, 6:00 PM to 8:30 PM

Free Cheese, Bacon is Back + Farm Week!

Aug 10, 2020, 12:00 PM to 2:00 PM

See More Events

Add Event

Download FPF's mobile app today!



More Postings from Neighboring Forums

Birchcliff

Everyone Eats Initiative • Hazard Pay, Food Security,... • Senate Forum on School... • and more!

Eastwoods

VT Senate Discussion with... • Community Hike at Wheeler Nature... • and more!

Lakeside

Preserve 32 Lakeside Ave ~ Don't...

Oakledge

Looking for Mid-Century Furniture

Queen City Park

Housing • and more!

Redstone Quarry

Tomo Moped for Sale

© 2006-2020 Front Porch Forum® All rights reserved.

Front Porch Forum® is the registered trademark of Front Porch Forum, Inc.

This email was sent to you because you are a member of Front Porch Forum. You can [manage your account](#) or [unsubscribe from this Email Forum](#).

This neighborhood forum is a community service provided by FPF. We are open to your suggestions for improvements. We reserve the right to edit/decline or remove any user statements that do not attest to the truth of any user statements. For complete FPF Terms of Use and Privacy Policy, see frontporchforum.com.

Thank you for participating!

Front Porch Forum, PO Box 64781, Burlington, VT 05406

[Compose](#) [FAQ](#) [Contact](#) [Donate](#)

SGustin,

My name is Gary Keller. I live at 11 Lyons Ave in Queen City Park. I want to share my recent experience and express specific concerns that I have regarding the considered Higher Ground Concert Venue, in this email and also as an attachment. I am here updating a previous letter that I had sent to you to highlight one especially important concern. I was on the QCP Prudential Committee of Fire District #1 for 15 years and the Chairperson until I stepped down last month, though I am speaking today ONLY as a private citizen. Queen City Park has been a wonderful community to live in. I do appreciate the hopes and aspirations to develop a larger music venue to further improve our already wonderful music scene in Burlington.

The actual day when you heard comments from the community re: this proposal I personally had a minor accident on the one-way bridge on Queen City Park Rd. I was on a bicycle and though I've done this many times before, I became flustered by three cars waiting to cross and I personally hit the fence spraining my hand and bruising a rib.

Crossing the bridge always depends on a "gentlemanly" process that generally works well with only limited traffic, except for the inevitable times that cars misjudge or aggressively attempt to cross the bridge from opposite directions at the same time. This can easily spiral into a worse altercation or accident especially with elevated blood alcohol levels after a concert, long frustrating waits and with vulnerable pedestrians or bicyclists. This would truly be "an accident waiting to happen" and only with very strict supervision to prevent an accident would it not be in my opinion gross negligence on the city's part.

Since the proposed development is immediately next to quiet residential communities and already has very limited access including even the inherent delays from a one-way bridge, I think it is also very important and necessary that you take extraordinary steps to not provide harm to the neighborhoods too close to your project. I am very concerned about traffic before and after a concert causing significant delays a couple of days each week potentially causing significant inconvenience to nearby residents just trying to get to work or to get home. I also am very concerned about a larger music venue bringing larger numbers of people from even further distances leading to more people looking for a place to relax and imbibe whatever they prefer to before or after a concert or even needing to find a place to park overnight after a concert.

A significant team of people sternly directing traffic away from adjacent communities and only to the music venue is a minimum to preserve the environment in our neighborhoods. I respectfully request that the city of Burlington consider passing a rule that requires specific adequate measures be in place to control related traffic to not significantly inconvenience adjacent neighborhoods and that this rule be followed regularly and be subject to periodic review and a hearing for possible revoking of the license to continue. Thank you for considering, Gary Keller

Attachments area

RECEIVED
AUG 05 2020
BURLINGTON
PERMITTING & INSPECTIONS

